

<p style="text-align: right;">Page 1</p> <p>1 UNITED STATES DISTRICT COURT 2 FOR THE NORTHERN DISTRICT OF OHIO 3 EASTERN DIVISION 4 HON. BENITA Y. PEARSON 5 CASE NO. 4:16CV0430 6 MICHELE L. RAFFERTY, ET AL.,) 7 Plaintiffs,) 8 VS.) 9 TRUMBULL COUNTY, OHIO, ET AL.,) 10 Defendants.) 11 12 DEPOSITION OF CHARLES E. DRENNEN 13 DEPOSITION taken before me, Mary J. Carney, a Notary 14 Public within and for the State of Ohio, on February 24, 15 2017, pursuant to Notice and at the time and place therein 16 specified, to be used pursuant to the Federal Rules or by 17 agreement of counsel in the aforesaid cause of action, 18 pending in the United States District Court for the 19 Northern District of Ohio, Eastern Division. 20 21 22 23 24 REF NO. 144548A</p>	<p style="text-align: right;">Page 3</p> <p>1 INDEX 2 3 4 EXAMINATION BY MS. KOVOOR - PAGE 5 5 6 7 OBJECTIONS AND MOTIONS: 8 BY MR. DOWNEY: PAGE(S) 16, 17, 19, 20, 22, 23, 24, 25, 9 38, 39, 40, 41, 42, 43, 47, 60, 65, 68, 69, 72, 78, 85, 10 88, 89, 90. 11 BY MR. RASKIN: PAGE(S) 19, 20, 38, 39, 40, 41, 66, 88. 12 13 14 PLAINTIFF'S EXHIBITS INTRODUCED: 15 NO. 1 - PAGE 12 16 17 18 19 20 21 22 23 24</p>
<p style="text-align: right;">Page 2</p> <p>1 2 APPEARANCES 3 4 On Behalf of Plaintiffs: 5 Sarah Thomas Kovoor, Esquire 6 Ford, Gold, Kovoor & Simon 7 8872 East Market Street 8 Warren, OH 44484 9 330-856-6888 10 Kovoor@neo-lawgroup.com 11 12 On Behalf of Defendant, 13 Trumbull County, Ohio: 14 15 Todd M. Raskin, Esquire 16 Mazanec, Raskin & Ryder Co., L.P.A. 17 100 Franklin's Row 18 34305 Solon Road 19 Cleveland, Ohio 44139 20 440-248-7906 21 traskin@mrlaw.com 22 23 On Behalf of Defendant, Charles Drennen: 24 Daniel T. Downey, Esquire Angelica M. Jarmusz, Esquire Fishel Hass Kim Albrecht LLP 400 South Fifth Street, Suite 200 Columbus, OH 43215 614-221-1216 ddowney@fishelhass.com ajarmusz@fishelhass.com Also Present: Ms. Michele L. Rafferty Ms. Robin Wilson</p>	<p style="text-align: right;">Page 4</p> <p>1 2 3 STIPULATIONS 4 5 It is stipulated and agreed by and between 6 counsel for the parties hereto that this deposition may 7 be taken at this time, 9:11 a.m., February 24, 2017, in 8 the offices of the Trumbull County Sheriff's Department, 9 150 High Street, N.W., Warren, Ohio, 44481. 10 It is further stipulated and agreed by and 11 between counsel that the deposition may be taken in 12 shorthand by Mary J. Carney, a Notary Public within and 13 for the State of Ohio, and may be by her transcribed with 14 the use of computer-assisted transcription; that the 15 witness will read and sign the finished transcript of his 16 deposition. 17 18 19 20 21 22 23 24</p>

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<p>1 WHEREUPON, 2 CHARLES E. DRENNEN, 3 of lawful age, being by me first duly 4 sworn to testify the truth, the whole 5 truth, and nothing but the truth, as 6 hereinafter certified, deposes and 7 says as follows: 8 EXAMINATION: 9 BY MS. KOVOOR 10 Q Would you state your name, Mr. Drennen? 11 A Charles E. Drennen. 12 Q Would you state your present address? 13 A 3035 Ridge Avenue, Warren, Ohio. 14 Q Are you married -- 15 A Yes. 16 Q -- separated or divorced? 17 A Married. 18 Q Do you have -- how many children do you 19 have? 20 A Two. 21 Q What are their ages? 22 A Twenty-one, eighteen. 23 Q And what are their names? 24 A Charles and Allison.</p>	<p>1 A Firestone Mastercare. 2 Q And what did you do there? 3 A I was an automotive technician. 4 Q Okay. And was that also true in your 5 last job; you were an automotive technician? 6 A I'm sorry? 7 Q In your last position, were you also 8 a -- 9 A No, ma'am, no. I'm a sprinkler fitter 10 at Schmid Mechanical. 11 Q Okay. And why were you laid off in your 12 job there, in the last, not -- 13 A Firestone? 14 Q Firestone, yeah. 15 A I had quit. 16 Q And why did you quit? 17 A For better employment. 18 Q Okay. Prior to that were you employed? 19 A Prior to Firestone I worked for -- let 20 me think. Where did I work prior to Firestone? I was off 21 for a while. My last company, I believe it was RNL, which 22 is another mechanical contractor. 23 (Discussion off the record as Michele Rafferty 24 entered the deposition room.)</p>
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<p>1 Q What is your wife's name? 2 A Rebecca. 3 Q Is she employed? 4 A Yes. 5 Q Where is she employed? 6 A United States Post Office. 7 Q And you're currently unemployed; is that 8 correct? 9 A Correct. 10 Q Okay. When was your last employment? 11 A I got laid off December 30. 12 Q And where would that have been from? 13 A That was from Schmid Mechanical. 14 Q Could you spell the name out, please, 15 for me? 16 A S-C-H-M-I-D. 17 Q And that would be December 30 of what 18 year, 2016? 19 A Correct. 20 Q Why were you laid off? 21 A Lack of work. 22 Q Okay. Prior to that, were you employed? 23 A I was, yes. 24 Q And where was that?</p>	<p>1 Q (BY MS. KOVOOR) Back on the record, 2 okay. You said you did not have work for a period of 3 time; is that correct? 4 A Correct. 5 Q Okay. What were you doing for money? 6 A I worked at a temp agency for a short, 7 short period of time basically, and I was doing odd jobs 8 while my wife worked for -- 9 Q Did you apply for unemployment at that 10 time? 11 A I did, and I wasn't eligible. 12 Q Okay, so you waited till? 13 A Correct. 14 Q When did you apply for unemployment? 15 A The 30th, when I had enough time from 16 working with Schmid. 17 Q December 30, 2016 -- 18 A Correct. 19 Q -- you applied for unemployment? And 20 that's in Trumbull County? 21 A Schmid Mechanical is in Wooster. 22 Q So where did you apply for unemployment? 23 A Well, through our union. I worked for 24 or I'm a Union Local 669 sprinkler fitter.</p>

<p style="text-align: right;">Page 9</p> <p>1 Q Okay.</p> <p>2 A And that's done all through our union.</p> <p>3 Q All right. And where was that union</p> <p>4 located?</p> <p>5 A It's in -- it's out of Columbus,</p> <p>6 actually.</p> <p>7 Q Okay.</p> <p>8 A The main office is, but we're worldwide.</p> <p>9 Q Did you have a representative that you</p> <p>10 worked with from the union?</p> <p>11 A I have a business agent.</p> <p>12 Q And who is that?</p> <p>13 A Sean Murphy.</p> <p>14 Q Okay. And he's out of Columbus also?</p> <p>15 A No, Sean's all over the country. He's</p> <p>16 out of District 14, which is our district.</p> <p>17 Q Is that S-E-A-N or S-H-A-W-N?</p> <p>18 A S-E-A-N Murphy.</p> <p>19 Q Do you have a phone number for him?</p> <p>20 A I do not on me.</p> <p>21 Q Okay. Do you have an address?</p> <p>22 A No, I don't have that, no, ma'am.</p> <p>23 Q We've discussed several periodic</p> <p>24 employments. Prior to that did you work at Trumbull</p>	<p style="text-align: right;">Page 11</p> <p>1 Q Where are those located?</p> <p>2 A North Coast is in Warren down the street</p> <p>3 here; and RNL, I've never been to the main office, but I</p> <p>4 believe he's in Canton.</p> <p>5 Q Okay. Have you ever applied for Social</p> <p>6 Security disability?</p> <p>7 A Disability, no.</p> <p>8 Q Prior to all these other temporary or</p> <p>9 periodic positions, were you employed as a corrections</p> <p>10 officer at the Trumbull County Jail?</p> <p>11 A Yes.</p> <p>12 Q When did you first work as a corrections</p> <p>13 officer at the Trumbull County Jail?</p> <p>14 A I believe it was, July 10 was when my</p> <p>15 starting date of 2010.</p> <p>16 Q Okay. And when did you last work?</p> <p>17 A August 4 I believe.</p> <p>18 Q Of what year?</p> <p>19 A It was '14.</p> <p>20 Q What was your reason for leaving</p> <p>21 Trumbull County?</p> <p>22 A I left Trumbull County because there was</p> <p>23 no reason for me to stay here. The only reason I was here</p> <p>24 in the first place was to be a full-time road officer, and</p>
<p style="text-align: right;">Page 10</p> <p>1 County Jail as a corrections officer?</p> <p>2 A Prior to?</p> <p>3 Q The last one would be what; the latest</p> <p>4 would be Firestone, right, or some temp agencies?</p> <p>5 A No, no, no, no, no, I worked for -- I</p> <p>6 worked for a couple different mechanical contractors after</p> <p>7 I resigned from Trumbull County.</p> <p>8 Q Could you list those for me?</p> <p>9 A Sure. The first one was RNL Mechanical</p> <p>10 Fire Protection, and the second one was North Coast Fire</p> <p>11 Protection, which is in town here.</p> <p>12 Q And what positions did you hold?</p> <p>13 A Sprinkler fitter.</p> <p>14 Q And what were the reasons for you</p> <p>15 leaving those organizations?</p> <p>16 A The lack of work. I mean, that's part</p> <p>17 of our -- that's part of our thing, when the work runs</p> <p>18 out.</p> <p>19 Q How long were you employed in both those</p> <p>20 places?</p> <p>21 A Oh, man, I was at -- I was at North</p> <p>22 Coast for about a year and a half. I was at RNL for a</p> <p>23 very short time, maybe three months. They didn't have a</p> <p>24 lot of work there.</p>	<p style="text-align: right;">Page 12</p> <p>1 I didn't feel I was going to get that opportunity.</p> <p>2 Q Was that the reason that you decided to</p> <p>3 resign?</p> <p>4 A Correct.</p> <p>5 Q Was that the stated reason that you</p> <p>6 decided to resign?</p> <p>7 A Correct.</p> <p>8 Q I'm going to just show you, this is just</p> <p>9 a note from Leslie Stredney to Major Stewart regarding</p> <p>10 your resignation?</p> <p>11 A Uh-huh.</p> <p>12 MR. RASKIN: I'm sorry, are you going to</p> <p>13 mark this?</p> <p>14 MR. DOWNEY: Are you going to mark it?</p> <p>15 MR. RASKIN: Yeah, I see. Okay, thank</p> <p>16 you.</p> <p>17 MS. KOVOOR: We'll mark that as</p> <p>18 Plaintiff's Exhibit 1.</p> <p>19 Q (BY MS. KOVOOR) Could you read it?</p> <p>20 A Oh, sure. At the very bottom, "With a</p> <p>21 heavy heart, I, Charles Drennen, officially resign from</p> <p>22 the Trumbull County Adult Justice Center," yes.</p> <p>23 Q Was that sent by you?</p> <p>24 A Yes.</p>

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<p>1 Q Is that your email?</p> <p>2 A That is not my email.</p> <p>3 Q So this was forwarded?</p> <p>4 A Yeah, it was forwarded, yeah.</p> <p>5 Q From whom to whom, if you know?</p> <p>6 A I'm thinking I called into booking and</p> <p>7 asked for her email. And I, yeah, I believe that's what I</p> <p>8 was doing. I was working. I was working at the airport</p> <p>9 for security, and I believe she called me, if I'm not</p> <p>10 mistaken, and asked me if I was doing okay and she needed</p> <p>11 a designated -- she needed something on paper. And --</p> <p>12 Q She meaning Leslie Stredney?</p> <p>13 A Yeah, she needed something on paper.</p> <p>14 Q And what was her position here at the</p> <p>15 jail?</p> <p>16 A She was like their main secretary, I</p> <p>17 thought, for the Sheriff.</p> <p>18 Q Okay.</p> <p>19 A Stredney.</p> <p>20 Q So did you do a handwritten note, or is</p> <p>21 this something that you told her or that you emailed her?</p> <p>22 A I think I told her that. I am -- I'm</p> <p>23 not sure.</p> <p>24 Q Okay.</p>	<p>1 career.</p> <p>2 Q But you were here almost four years?</p> <p>3 A Correct, 'cause I really wanted to be on</p> <p>4 the road here, and that's what it takes sometimes. It</p> <p>5 takes ten years, you know. I was -- I was very, very</p> <p>6 close to getting out. I was on the list. I was very</p> <p>7 close.</p> <p>8 Q You said you had to resign?</p> <p>9 A For myself I did, sure. That was my</p> <p>10 decision.</p> <p>11 Q Subsequent to you leaving your position</p> <p>12 here, did you attempt to end your life?</p> <p>13 A No.</p> <p>14 Q You never had to go into a hospital for</p> <p>15 suicide?</p> <p>16 A No, sir.</p> <p>17 Q Attempted suicide?</p> <p>18 A Never attempted suicide, never.</p> <p>19 Q Are you on any medications today?</p> <p>20 A Am I on any medications today? I</p> <p>21 take -- I'm taking an antidepressant, yes.</p> <p>22 Q Okay. But that doesn't -- does that</p> <p>23 affect any manner of how you're going to be testifying</p> <p>24 today?</p>
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<p>1 A But I do vaguely remember talking to</p> <p>2 her, and that's exactly what I said.</p> <p>3 Q Okay. Including having a heavy heart;</p> <p>4 is that right?</p> <p>5 A That is correct.</p> <p>6 Q Why would you have a heavy heart if</p> <p>7 you're just leaving --</p> <p>8 A I didn't like --</p> <p>9 Q -- to be on the road more?</p> <p>10 A I didn't like the way I left. I didn't</p> <p>11 like the way it happened.</p> <p>12 Q Okay. Could you explain that?</p> <p>13 A Sure. I -- I didn't like the way I had</p> <p>14 to resign from my position. It was, it didn't go over</p> <p>15 well, and I felt like I -- I let down the badge and the</p> <p>16 office, and there wasn't any other reason for me to pursue</p> <p>17 this career.</p> <p>18 Q All right, let's go into detail with</p> <p>19 that. You said you didn't like how you had to resign?</p> <p>20 A Correct.</p> <p>21 Q What do you mean by that?</p> <p>22 A I mean, I was -- the only reason I was</p> <p>23 at this job to begin with was to be full-time on the road.</p> <p>24 That was it. I didn't want to make the jail a full-time</p>	<p>1 A Absolutely not.</p> <p>2 Q All right. Have you been seeing a</p> <p>3 psychiatrist for depression?</p> <p>4 A No.</p> <p>5 Q How did you receive your medication</p> <p>6 then?</p> <p>7 A Through my family doctor.</p> <p>8 Q So you're seeing an internist or a</p> <p>9 family doctor?</p> <p>10 A Yes.</p> <p>11 MR. DOWNEY: I'm going to object to this</p> <p>12 line of questioning. He's here to answer questions</p> <p>13 regarding this. This is not a medical deposition of him.</p> <p>14 You already know he's able to answer the questions</p> <p>15 accurately. This line of questioning, I'm going to</p> <p>16 instruct him not to answer.</p> <p>17 MR. RASKIN: Excuse me, just as a</p> <p>18 housekeeping matter, you said you were going to mark</p> <p>19 Exhibit 1. I've not seen that marked.</p> <p>20 (Discussion off the record. The reporter marked for</p> <p>21 identification Plaintiff's Exhibit 1.)</p> <p>22 MS. KOVOOR: Why don't we just give the</p> <p>23 packets to them and that way they have everything versus</p> <p>24 individually.</p>

<p style="text-align: right;">Page 17</p> <p>1 MR. RASKIN: These are going to be the</p> <p>2 Exhibits you're going to use today?</p> <p>3 MS. KOVOOR: Yes.</p> <p>4 MR. RASKIN: Okay, so give me just a</p> <p>5 minute so I can get out what you've just marked as</p> <p>6 Exhibit 1, please. Okay, thank you.</p> <p>7 Q (BY MS. KOVOOR) Okay. During your</p> <p>8 employment application, during the course of your applying</p> <p>9 for the Trumbull County Jail as corrections officer, were</p> <p>10 you completely accurate in your answers to their</p> <p>11 questions?</p> <p>12 A Yes.</p> <p>13 MR. DOWNEY: Objection. You can answer.</p> <p>14 Q I'm sorry?</p> <p>15 MR. DOWNEY: You can answer.</p> <p>16 A Yes.</p> <p>17 Q So there was no inaccuracies whatsoever</p> <p>18 in your employment application to the Trumbull County Jail</p> <p>19 as a corrections officer?</p> <p>20 A No.</p> <p>21 Q In your own words, what is the</p> <p>22 relationship between a corrections officer and a Trumbull</p> <p>23 County Jail inmate?</p> <p>24 A Care, custody and control, basically.</p>	<p style="text-align: right;">Page 19</p> <p>1 of an inmate's stay, as a corrections officer?</p> <p>2 A Basically.</p> <p>3 Q Yes?</p> <p>4 A Sure, I mean.</p> <p>5 Q As a corrections officer at the Trumbull</p> <p>6 County Jail, do you have authority to give mandatory</p> <p>7 direction to inmates?</p> <p>8 A Yes.</p> <p>9 Q What are the consequences of an inmate's</p> <p>10 failure or refusal to follow directions given by you as a</p> <p>11 corrections officer?</p> <p>12 A It would be failure to -- failure --</p> <p>13 failure to, you know, comply with a direct order from an</p> <p>14 officer, basically.</p> <p>15 Q What would be the inmate's consequences</p> <p>16 if they failed or refused an order?</p> <p>17 MR. DOWNEY: Objection. Form. You can</p> <p>18 answer.</p> <p>19 MR. RASKIN: I'm going to object as to</p> <p>20 vagueness.</p> <p>21 Q Do you know, what are the consequences</p> <p>22 of an inmate's failure or refusal to follow directions</p> <p>23 given by a corrections officer at the Trumbull County</p> <p>24 Jail?</p>
<p style="text-align: right;">Page 18</p> <p>1 Q And what does that mean?</p> <p>2 A That means you make sure the inmate is</p> <p>3 cared for, you keep them in custody, and you control them,</p> <p>4 basically.</p> <p>5 Q And what do you mean by control?</p> <p>6 A Well, I mean keep them from hurting</p> <p>7 themselves, from hurting others, from destroying property,</p> <p>8 following directions.</p> <p>9 Q Would you consider that a corrections</p> <p>10 officer at the jail is in a position of authority over the</p> <p>11 inmates then?</p> <p>12 A Absolutely.</p> <p>13 Q Okay. Do you believe that as a</p> <p>14 corrections officer at the jail, you can have an influence</p> <p>15 over the quality of an inmate's stay while incarcerated?</p> <p>16 A You can have a?</p> <p>17 Q You can have an influence over the</p> <p>18 quality of an inmate's stay while they're incarcerated?</p> <p>19 A Well, you could -- I mean, the basics</p> <p>20 are the basics. They get what they get at a certain time</p> <p>21 period. If they were to need something more within the</p> <p>22 boundaries of my job, you know, it could be better that</p> <p>23 way.</p> <p>24 Q So your actions could affect the quality</p>	<p style="text-align: right;">Page 20</p> <p>1 MR. DOWNEY: Objection.</p> <p>2 MR. RASKIN: Objection. Vagueness.</p> <p>3 MR. DOWNEY: Form.</p> <p>4 Q You can answer.</p> <p>5 MR. DOWNEY: You can answer.</p> <p>6 A It depends on the severity. I mean,</p> <p>7 I'll give you an example.</p> <p>8 Q Go ahead.</p> <p>9 A If an inmate was ordered to go into a</p> <p>10 cell and that inmate resisted and it took -- it took more</p> <p>11 officers to force that inmate in that cell, you know,</p> <p>12 unless anybody got hurt or there was, the inmate got hurt</p> <p>13 or an officer got hurt or anything was damaged, you know,</p> <p>14 that, that would just go on the report of how they acted</p> <p>15 while they were in the jail. I mean, there's really no --</p> <p>16 there's really no terrible consequence there. It's --</p> <p>17 it's an everyday thing.</p> <p>18 Q Okay. So for minor infractions by an</p> <p>19 inmate, you would do a report?</p> <p>20 A Sure.</p> <p>21 Q Is that correct?</p> <p>22 A Sure.</p> <p>23 Q Is that what you're supposed to do?</p> <p>24 A Sure.</p>

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<p>1 Q File a report?</p> <p>2 A Absolutely.</p> <p>3 Q And what would that report procedure be?</p> <p>4 A It's a simple incident report, what</p> <p>5 happened.</p> <p>6 Q But it's written?</p> <p>7 A Correct.</p> <p>8 Q Okay. And who is that forwarded to?</p> <p>9 A It's -- it goes in a database and</p> <p>10 it's -- it's looked over by authority in the jail, which</p> <p>11 would be an assistant warden or a lieutenant, on a regular</p> <p>12 basis.</p> <p>13 Q Okay. When you say database, are you</p> <p>14 saying that it's written initially and then stored</p> <p>15 electronically?</p> <p>16 A No, it's -- we type it in.</p> <p>17 Q Okay. Where do you type it in?</p> <p>18 A In our computer system.</p> <p>19 Q Okay.</p> <p>20 A Where -- where they have -- where</p> <p>21 there's an op for reports.</p> <p>22 Q Okay. So it's saved electronically at</p> <p>23 the Trumbull County Jail?</p> <p>24 A Sure.</p>	<p>1 with more authority that could make those decisions.</p> <p>2 Q Okay. And during that tenure here, who</p> <p>3 would that be for you?</p> <p>4 A The assistant warden on duty usually.</p> <p>5 Q Okay. So you don't mean to Eric Shay</p> <p>6 specifically?</p> <p>7 A No, not to Eric specifically. I mean,</p> <p>8 it may end up to Eric, but usually it's the assistant</p> <p>9 warden on duty.</p> <p>10 Q Do you have the power as a corrections</p> <p>11 officer to punish inmates for infractions of Trumbull</p> <p>12 County Jail rules and regulations?</p> <p>13 A Only by the means of taking away like</p> <p>14 visitor, commissary.</p> <p>15 Q Those are the only things that you can</p> <p>16 do personally in order to punish an inmate?</p> <p>17 MR. DOWNEY: Objection. You can answer.</p> <p>18 Q Is that correct?</p> <p>19 A Yeah, I mean, that's -- that's pretty</p> <p>20 much all we did.</p> <p>21 Q Okay. What is your authority to be able</p> <p>22 to punish an inmate in those means?</p> <p>23 MR. DOWNEY: Objection. You can answer.</p> <p>24 A My authority to be able to do that?</p>
Page 22	Page 24
<p>1 Q Okay. What about for more severe</p> <p>2 infractions?</p> <p>3 A Sure, same thing. It's the same thing.</p> <p>4 Q But you said for minor infractions you</p> <p>5 would do a report?</p> <p>6 A And for severe infractions also.</p> <p>7 Q Okay.</p> <p>8 A Any infraction.</p> <p>9 Q All right. Is there anything more that</p> <p>10 you would do if the refusal to obey an order is more</p> <p>11 severe or has more severe consequences?</p> <p>12 A I mean, I --</p> <p>13 MR. DOWNEY: I'll object. You can</p> <p>14 answer.</p> <p>15 A Is there anything more you would do? I</p> <p>16 mean, that, this is the very first thing you would do.</p> <p>17 Q Okay. What's the next thing you would</p> <p>18 do?</p> <p>19 A The next thing you would do is you would</p> <p>20 wait for it to be assessed. You know, what, what you've</p> <p>21 done, it's over, you know. If you were involved, you</p> <p>22 wrote a report on it and it goes to higher means.</p> <p>23 Q And by higher means, who do you mean?</p> <p>24 A I mean an assistant warden or someone</p>	<p>1 It's part of being a corrections officer. It's part of</p> <p>2 the care, custody and control of controlling the</p> <p>3 corrections officer here. They have to follow certain</p> <p>4 rules and regulations that the Sheriff put out, and it's</p> <p>5 the corrections officer's job to make sure those are</p> <p>6 carried out.</p> <p>7 Q Okay. Does a corrections officer have</p> <p>8 power to recommend that inmates be punished for</p> <p>9 infractions of Trumbull County Jail rules and regulations?</p> <p>10 A We can -- I mean, it's really up to the</p> <p>11 authority, you know. They make the decisions, I mean.</p> <p>12 Q But do you have the power to recommend</p> <p>13 punishment?</p> <p>14 A We could -- we could recommend all day</p> <p>15 long, you know, what we think happened or should happen;</p> <p>16 but it's not up to us. You know, we're the soldiers here.</p> <p>17 Q Okay. So is it your position that you</p> <p>18 don't have the authority to recommend, but you do anyway?</p> <p>19 MR. DOWNEY: Objection. Argumentative.</p> <p>20 You can answer again.</p> <p>21 A We -- we can recommend.</p> <p>22 Q Okay. What is your authority to</p> <p>23 recommend punishment?</p> <p>24 MR. DOWNEY: Objection. Asked and</p>

<p style="text-align: right;">Page 25</p> <p>1 answered.</p> <p>2 Q On what basis can you do that?</p> <p>3 MR. DOWNEY: Asked and answered. You</p> <p>4 can answer it again.</p> <p>5 A I mean, what is my authority, I'm not</p> <p>6 understanding. I thought I answered.</p> <p>7 Q Are you saying it's based on your</p> <p>8 position as a corrections officer and your duties for care</p> <p>9 and control --</p> <p>10 A Correct.</p> <p>11 Q -- that you can recommend the punishment</p> <p>12 of an inmate?</p> <p>13 A By what they've done.</p> <p>14 Q Okay. Is that correct?</p> <p>15 A That's correct.</p> <p>16 Q Okay. What types of punishments are</p> <p>17 imposed for inmates who violate Trumbull County Jail rules</p> <p>18 and regulations? I'm just going to from now on say jail</p> <p>19 instead of Trumbull County Jail. I'm going to assume that</p> <p>20 you understand I mean this jail, okay?</p> <p>21 A That would be, you know, taking away</p> <p>22 their visits so they can't see their loved ones on</p> <p>23 designated times and taking away their commissary so they</p> <p>24 can't have money sent in to buy junk food.</p>	<p style="text-align: right;">Page 27</p> <p>1 Maybe twice a month, something to that effect.</p> <p>2 Q On what shifts?</p> <p>3 A I've worked all shifts, but at the end I</p> <p>4 was on midnight turn.</p> <p>5 Q The end of what?</p> <p>6 A The end of my career here.</p> <p>7 Q And how long are you referring to;</p> <p>8 months, weeks?</p> <p>9 A I mean, we bid for I believe it was a</p> <p>10 year, or less than a year. I was on that shift towards</p> <p>11 the end of my career here.</p> <p>12 Q And that would be midnight shift?</p> <p>13 A Correct.</p> <p>14 Q Okay. And what is midnight shift?</p> <p>15 A Midnight shift is from 11 to 7.</p> <p>16 Q 11 p.m. to 7 a.m.?</p> <p>17 A Correct.</p> <p>18 Q Okay. What were your duties when you</p> <p>19 were assigned to work in that, in the area in which Katie</p> <p>20 Sherman was confined?</p> <p>21 A What my duties on, when assigned to the</p> <p>22 third floor, there was a male and a female at all times.</p> <p>23 We are confined to the control pod, which is located in</p> <p>24 the middle. There are inmate pods all around us that we</p>
<p style="text-align: right;">Page 26</p> <p>1 Q Okay. Would that be it?</p> <p>2 A Basically, yeah.</p> <p>3 Q During the time you worked as a</p> <p>4 corrections officer here at the Trumbull County Jail, was</p> <p>5 Katie Sherman an inmate of that jail?</p> <p>6 A Yes, she was.</p> <p>7 Q Was Michele Rafferty an inmate of that</p> <p>8 jail?</p> <p>9 A Yes.</p> <p>10 Q During that time were you ever assigned</p> <p>11 to work in the area in which Katie Sherman was confined?</p> <p>12 MR. DOWNEY: What time?</p> <p>13 MS. KOVOOR: I'm asking him that.</p> <p>14 MR. DOWNEY: What time? During that</p> <p>15 time. What time are you referring to? His time as a CO,</p> <p>16 their time when they were here?</p> <p>17 Q (BY MS. KOVOOR) During the time when you</p> <p>18 were a corrections officer at the Trumbull County Jail,</p> <p>19 were you ever assigned to work in the area in which Katie</p> <p>20 Sherman was confined?</p> <p>21 A Yes.</p> <p>22 Q How often?</p> <p>23 A We all, we took turns. It was</p> <p>24 basically, we basically took turns on the third floor.</p>	<p style="text-align: right;">Page 28</p> <p>1 can see. And it's a -- the third floor is an enclosed</p> <p>2 floor, meaning the officers assigned to that floor</p> <p>3 maintain that floor alone. They -- they do all the watch</p> <p>4 tours themselves. No one else comes in, does them and</p> <p>5 leaves, like the rest of the floors. We're</p> <p>6 self-contained.</p> <p>7 Q Okay. Is that the trustee pod?</p> <p>8 A There is a pod on the third floor that's</p> <p>9 known -- that was formerly known as the trustee pod</p> <p>10 because we used to have female trustees, but that was</p> <p>11 before my time. And that's just what they called that</p> <p>12 certain small pod.</p> <p>13 Q Okay. So in your description of the</p> <p>14 third floor, you're saying there's always two corrections</p> <p>15 officers?</p> <p>16 A A male and a female at all times.</p> <p>17 Q Okay. And is there always somebody in</p> <p>18 control?</p> <p>19 A There's always somebody in that control</p> <p>20 pod.</p> <p>21 Q Okay. And while the other individual is</p> <p>22 touring or checking the inmates, the other person is at</p> <p>23 the control pod; is that correct?</p> <p>24 A Correct.</p>

<p style="text-align: right;">Page 29</p> <p>1 Q Okay.</p> <p>2 A Because that other person has to let the</p> <p>3 person that's out there through doors electronically.</p> <p>4 Q Okay. Does that person have a monitor</p> <p>5 to be able to view a hundred percent of the pod?</p> <p>6 A Yes.</p> <p>7 Q Or the floor?</p> <p>8 A The whole, that whole pod floor, there</p> <p>9 are cameras everywhere.</p> <p>10 Q Okay. How big is that area that we're</p> <p>11 talking about here?</p> <p>12 A How big is what area?</p> <p>13 Q The third floor where Katie Sherman was</p> <p>14 confined?</p> <p>15 A So you're talking about the -- you're</p> <p>16 talking about the inmate pod?</p> <p>17 Q Yes.</p> <p>18 A Formerly female inmate pod. It wasn't</p> <p>19 very big. I'm trying to give you a reference. I mean,</p> <p>20 it's not a very big pod at all. It's kind of -- it's kind</p> <p>21 of oblong. You enter in one end. You go to the far end.</p> <p>22 I'd hit my watch tour button, and I'd come out the same</p> <p>23 way.</p> <p>24 Q Is it -- can you estimate the width and</p>	<p style="text-align: right;">Page 31</p> <p>1 certain amount of time, which is registered at central.</p> <p>2 And on the third floor, you don't leave the third floor,</p> <p>3 okay, so when that floor is complete, you ask central on</p> <p>4 the radio if watch tour is complete; and if you missed</p> <p>5 one, you got to go back and hit it, and if you didn't,</p> <p>6 it's complete.</p> <p>7 Q Okay. Is the corrections officer who is</p> <p>8 in the control section, are they able to hear anything</p> <p>9 that is happening during your tour?</p> <p>10 A Yeah, there are -- there are audio vents</p> <p>11 that they can put on when they let me in, but they're not</p> <p>12 very -- they're not very good for audio, but they're --</p> <p>13 that -- they do -- we do have these; correct.</p> <p>14 Q Could you describe these audio vents, is</p> <p>15 that?</p> <p>16 A Vents. They're like little vents on the</p> <p>17 wall.</p> <p>18 Q So the --</p> <p>19 A Microphones.</p> <p>20 Q So the, I'm going to call it the control</p> <p>21 corrections officer --</p> <p>22 A Uh-huh.</p> <p>23 Q -- can press a button and turn that on?</p> <p>24 A Sure.</p>
<p style="text-align: right;">Page 30</p> <p>1 length of the space?</p> <p>2 A It's probably not going to be a great</p> <p>3 estimation, but let's say 20 by 40 maybe.</p> <p>4 Q What were your duties when you were</p> <p>5 assigned to work in the area in which Katie Sherman was</p> <p>6 confined?</p> <p>7 A What were my duties?</p> <p>8 Q (Nodding).</p> <p>9 A I was doing watch tours basically.</p> <p>10 That's what we did at nighttime. The inmates slept. We</p> <p>11 did paperwork, and every, every 45 to 50 minutes we did a</p> <p>12 watch tour.</p> <p>13 Q And what do you mean by a watch tour?</p> <p>14 A A watch tour is when you -- you start at</p> <p>15 a certain point. There are, in a pod, there are little</p> <p>16 electronic buttons that are strategically placed at the --</p> <p>17 at certain corners of the pods, okay, which are in between</p> <p>18 the cells, above and below. You start at one; you press</p> <p>19 it; it is acknowledged in central. And on your way to the</p> <p>20 next button, you are to observe the inmates in their</p> <p>21 cells, that they are living, breathing bodies. And at</p> <p>22 midnight turn it requires a form of light. Usually it's a</p> <p>23 small flashlight.</p> <p>24 And you go and you hit all those buttons under a</p>	<p style="text-align: right;">Page 32</p> <p>1 Q And be able to listen to you?</p> <p>2 A Correct.</p> <p>3 Q Okay.</p> <p>4 A To make sure, it's a safety -- it's a</p> <p>5 safety protection.</p> <p>6 Q Are you able to let the control</p> <p>7 corrections officer know that you want to have the audio</p> <p>8 on?</p> <p>9 A It's a gimme usually. It's usually a</p> <p>10 gimme. Whenever an officer is in a pod by themselves,</p> <p>11 that should be on for safety. Same, same reason, same</p> <p>12 reason the control pod officer, if you will, should always</p> <p>13 have an eye on that officer. It's safety.</p> <p>14 Q Was that the case during your work at</p> <p>15 the third floor in which Katie Sherman was confined?</p> <p>16 A Yes.</p> <p>17 Q Both you and the control officer</p> <p>18 followed all these procedures?</p> <p>19 A Oh, absolutely, I mean.</p> <p>20 Q Who were the control officers that you</p> <p>21 worked with while you were assigned to work in that pod?</p> <p>22 A That evening in particular or --</p> <p>23 Q Which evening are you referring to?</p> <p>24 A You mean the evening of the incident? I</p>

<p style="text-align: right;">Page 33</p> <p>1 don't understand the question.</p> <p>2 Q During the course of time during your --</p> <p>3 A Oh, there was all, all, all female</p> <p>4 officers. We all took turns. There wasn't a --</p> <p>5 Q Okay. How many female officers would be</p> <p>6 assigned to that pod?</p> <p>7 A Well, there would be -- there would be</p> <p>8 one male and one female inside all the time. Now, we</p> <p>9 roved our own pod. What I mean by that is, the only time,</p> <p>10 the only other corrections officer up there besides us was</p> <p>11 the guy that did the head count. You know what I mean?</p> <p>12 They walked around; they did a head count, made sure</p> <p>13 everybody was there. And we'd document in the book and we</p> <p>14 started our paperwork, and it was lights out and lockdown.</p> <p>15 Q Okay. When you say lights out, would</p> <p>16 the lights be dimmed?</p> <p>17 A The lights, there is supposed to be a</p> <p>18 night light along with a day light, and at night the night</p> <p>19 light would take the place of the day light.</p> <p>20 Q So it would be dimmed?</p> <p>21 A Correct.</p> <p>22 Q Okay. You mentioned there was cameras</p> <p>23 all around?</p> <p>24 A Correct.</p>	<p style="text-align: right;">Page 35</p> <p>1 everything in that pod?</p> <p>2 A Oh, except for the, where they use the</p> <p>3 restroom and take showers and stuff like that.</p> <p>4 Q Because of privacy --</p> <p>5 A Correct.</p> <p>6 Q -- there cannot be a camera there?</p> <p>7 Okay. You mentioned a makeshift barrier. If someone, if</p> <p>8 an inmate were to do that, would you report them?</p> <p>9 A Well, mostly it's because they --</p> <p>10 they're using the bathroom in privacy.</p> <p>11 Q Okay. If it was not the case, if they</p> <p>12 were just doing a makeshift barrier so that you as a</p> <p>13 corrections officer or another corrections officer could</p> <p>14 not see what they're doing, would you order them to take</p> <p>15 that barrier off?</p> <p>16 A It would have to come down.</p> <p>17 Q It would have to come down for purposes</p> <p>18 of safety?</p> <p>19 A Well, for jail policy.</p> <p>20 Q Okay. Is there a written policy</p> <p>21 regarding these sort of issues?</p> <p>22 A I believe there is if you look in the</p> <p>23 inmate handbook. I mean, a lot of inmates, I don't mean</p> <p>24 to add, but a lot of inmates, when they use their</p>
<p style="text-align: right;">Page 34</p> <p>1 Q How many cameras in that pod where Katie</p> <p>2 Sherman was confined?</p> <p>3 A I'm not too positive. I'm thinking at</p> <p>4 least two, maybe three.</p> <p>5 Q Okay. Do you know the mechanics of the</p> <p>6 actual cameras?</p> <p>7 A I've never worked on one, ma'am.</p> <p>8 Q Okay. Do you know whether there was a</p> <p>9 moving eye on the camera or whether it was stationary?</p> <p>10 A I -- I believe it was stationary. I</p> <p>11 mean, I never -- there's no joy stick. You know what I</p> <p>12 mean? There's no way to manipulate.</p> <p>13 Q Okay. Are there blind spots where the</p> <p>14 camera cannot take surveillance, or the cameras?</p> <p>15 A I'm sure there is in the building, I</p> <p>16 mean.</p> <p>17 Q Are there any blind spots in that pod</p> <p>18 where Katie Sherman was confined?</p> <p>19 A I'm not aware of any blind spots in</p> <p>20 there, unless someone were to create a blind spot by</p> <p>21 hanging something where something shouldn't be, which was</p> <p>22 a big problem.</p> <p>23 Q Okay. So besides a makeshift blind</p> <p>24 spot, you should be -- the cameras should be able to view</p>	<p style="text-align: right;">Page 36</p> <p>1 restrooms, they'll take something sticky and a piece of</p> <p>2 toilet paper and put it on their window. And I knew -- I</p> <p>3 knew what they were doing. I tried not to give everybody</p> <p>4 a hard time about that because I sure, I, for one,</p> <p>5 wouldn't want to be observed constantly while I was trying</p> <p>6 to, you know, have a bowel movement in an undesirable</p> <p>7 place with undesirable people. And so I -- I gave them</p> <p>8 the benefit of the doubt, and if it didn't come down with</p> <p>9 a -- in a reasonable amount of time, of course, I had to.</p> <p>10 Q Okay. Now, you mentioned an inmate</p> <p>11 handbook. Is this a handbook that's provided to every</p> <p>12 single inmate when they are brought into the jail?</p> <p>13 A They're supposed to get one. They were</p> <p>14 supposed to get one, but not everybody got an inmate</p> <p>15 handbook. But they were circulated all through the jail</p> <p>16 all the time.</p> <p>17 Q Was there a handbook that you as a</p> <p>18 corrections officer was given?</p> <p>19 A Well, sure. It was an addendum, I</p> <p>20 believe. I mean, what you get with the Sheriff's face on</p> <p>21 it and everything. It's just rules and regulations.</p> <p>22 Q Okay. And there are written policies</p> <p>23 and procedures regarding how a corrections officer is</p> <p>24 supposed to behave?</p>

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<p>1 A Correct.</p> <p>2 Q Is that correct?</p> <p>3 A Correct.</p> <p>4 Q In the employment manual?</p> <p>5 A Correct.</p> <p>6 Q What is the name of the manual or policy</p> <p>7 and procedures?</p> <p>8 A Policy and procedures basically.</p> <p>9 Q Is there any other written information</p> <p>10 that you as a corrections officer gets in how to follow</p> <p>11 policies and procedures that the Sheriff provides or the</p> <p>12 Trumbull County Jail provides?</p> <p>13 A We've had training sessions that the</p> <p>14 state mandated on a regular basis.</p> <p>15 Q Okay. But before that, what I'm asking</p> <p>16 is, is there any, besides this one manual that you get?</p> <p>17 A Uh-huh, uh-huh.</p> <p>18 Q That you've termed policies and</p> <p>19 procedures?</p> <p>20 A For this jail in particular.</p> <p>21 Q For the Trumbull County Jail, do you</p> <p>22 receive anything else in writing?</p> <p>23 A I mean, other than CO school and going</p> <p>24 upon ourselves to make ourselves better officers to do our</p>	<p>1 Q Okay. And subsequent to you joining the</p> <p>2 Trumbull County Jail, were you provided training after you</p> <p>3 joined?</p> <p>4 MR. RASKIN: Objection. Asked and</p> <p>5 answered.</p> <p>6 MR. DOWNEY: You can answer it again.</p> <p>7 A Yes.</p> <p>8 Q And my question was, how long of</p> <p>9 training was it?</p> <p>10 MR. DOWNEY: Objection. Form. You can</p> <p>11 answer if you can answer.</p> <p>12 A CO school -- now this is above and</p> <p>13 beyond my OPOTA training as a police officer -- CO school</p> <p>14 I believe was six or seven months long at Kent State that</p> <p>15 we all had to pass.</p> <p>16 Q That's before you joined --</p> <p>17 A And take a state test.</p> <p>18 Q Is that before you joined the jail?</p> <p>19 A That was within a year of being hired in</p> <p>20 this jail.</p> <p>21 Q Okay. And did you go to the month-long</p> <p>22 CO school?</p> <p>23 A Like six months, yes.</p> <p>24 Q Is that the name of it, CO school?</p>
Page 38	Page 40
<p>1 jobs better above and beyond what they provide here. I</p> <p>2 mean, the way to answer that again is, whatever they give</p> <p>3 us to make things better.</p> <p>4 Q Okay. So during your tenure here --</p> <p>5 A Uh-huh.</p> <p>6 Q -- what were you provided besides the</p> <p>7 written manual that you mentioned earlier?</p> <p>8 A Training.</p> <p>9 Q Okay. What I'm specifically asking for</p> <p>10 is in writing. Did you receive anything else in writing</p> <p>11 besides the written policy and procedure manual?</p> <p>12 A Well, we always get -- we always had a</p> <p>13 leaflet added to our written policy and procedure training</p> <p>14 manual so when we had training; so, yes, to answer your</p> <p>15 question.</p> <p>16 Q And how long were you trained?</p> <p>17 A We got one at least --</p> <p>18 MR. DOWNEY: Objection. Vague.</p> <p>19 Q As a Trumbull County Jail corrections</p> <p>20 officer, did you receive training prior to you starting</p> <p>21 your position?</p> <p>22 A Yeah.</p> <p>23 MR. RASKIN: Objection. Asked and</p> <p>24 answered.</p>	<p>1 A That's what they called it, CO school,</p> <p>2 yeah. It was an OPOTA, correctional OPOTA training, I</p> <p>3 believe. It was at Kent State. Same place I went.</p> <p>4 Q And how often would you go?</p> <p>5 A It was like three days a week I'm</p> <p>6 thinking. Don't quote me on that. I'd have to look at</p> <p>7 that. But I think it was like three days, three nights a</p> <p>8 week.</p> <p>9 Q Do you get a certificate of completion?</p> <p>10 A Oh, sure.</p> <p>11 Q And you received that?</p> <p>12 A Absolutely.</p> <p>13 Q Okay. Did you ever get continuous</p> <p>14 training once that CO school was done during your three to</p> <p>15 four years here?</p> <p>16 MR. RASKIN: Objection. Asked and</p> <p>17 answered.</p> <p>18 MR. DOWNEY: Objection. Asked and</p> <p>19 answered. You can answer.</p> <p>20 A Here.</p> <p>21 Q At the jail?</p> <p>22 A Correct.</p> <p>23 Q Okay. And how often was that?</p> <p>24 A It varied. It varied upon what was</p>

<p style="text-align: right;">Page 41</p> <p>1 going on here.</p> <p>2 Q Okay.</p> <p>3 A You know what I mean. We'd like to get</p> <p>4 everybody done at once, but we couldn't always do that, so</p> <p>5 it varied. That was up to administration. You know, they</p> <p>6 told us to -- they sent out a memo, told us, you know,</p> <p>7 this shift has to meet at this time and this place for</p> <p>8 this type of training and it will take this long.</p> <p>9 Q Okay. Based on your personal knowledge</p> <p>10 and your memory, how many times did you go for this, this</p> <p>11 sort of training? I'm going to call it ad hoc training.</p> <p>12 A I mean, I'd be guessing.</p> <p>13 MR. DOWNEY: Don't guess.</p> <p>14 MR. RASKIN: Objection.</p> <p>15 Q Okay.</p> <p>16 A I don't know, to be honest with you.</p> <p>17 Q Would you be able to estimate a range of</p> <p>18 hours that you spent doing these kinds of training?</p> <p>19 MR. DOWNEY: Objection. You can answer</p> <p>20 if you know.</p> <p>21 A I'd be guessing.</p> <p>22 Q Okay. During the course of both the</p> <p>23 corrections officer school and the continuous training at</p> <p>24 the Trumbull County Jail, were you trained on how to</p>	<p style="text-align: right;">Page 43</p> <p>1 reported a female inmate for removing clothing in front</p> <p>2 of --</p> <p>3 MR. DOWNEY: Objection.</p> <p>4 Q In front of a male corrections officer?</p> <p>5 MR. DOWNEY: Objection. Form. You can</p> <p>6 answer.</p> <p>7 A You're asking -- now let me get this</p> <p>8 straight -- if I have ever reported a female inmate taking</p> <p>9 her clothes off?</p> <p>10 Q In front of a male corrections officer,</p> <p>11 be it you or someone else?</p> <p>12 A I've never. I've never, no.</p> <p>13 Q Okay.</p> <p>14 A No.</p> <p>15 Q Do you know of any corrections officer</p> <p>16 at the Trumbull County Jail during your tenure here who</p> <p>17 has reported an inmate for the same reason that I just</p> <p>18 stated?</p> <p>19 A I can't recall, I mean.</p> <p>20 Q While you were a corrections officer at</p> <p>21 the Trumbull County Jail, did you ever see Inmate Katie</p> <p>22 Sherman without her clothes --</p> <p>23 A Yes.</p> <p>24 Q -- completely on?</p>
<p style="text-align: right;">Page 42</p> <p>1 report impropriety by an inmate?</p> <p>2 A Report impropriety?</p> <p>3 Q Report any wrongdoings by an inmate?</p> <p>4 A You said, what was the beginning of the</p> <p>5 question for that?</p> <p>6 Q During your training --</p> <p>7 A Yeah, sure.</p> <p>8 Q -- were you told the procedure on how to</p> <p>9 report an inmate who was committing any wrongdoing?</p> <p>10 A Well, sure, it was, sure, absolutely.</p> <p>11 Q Okay. And would you consider an inmate</p> <p>12 taking off clothing in front of a corrections officer, a</p> <p>13 female inmate specifically, improper?</p> <p>14 A You're asking me if it -- if I feel it</p> <p>15 would be improper for a female inmate to take her clothes</p> <p>16 off in front of a --</p> <p>17 Q A male corrections officer?</p> <p>18 A Absolutely.</p> <p>19 Q Okay. And that would be something you</p> <p>20 would report?</p> <p>21 A Sure.</p> <p>22 MR. DOWNEY: Objection. You can answer.</p> <p>23 Q Have you done that during your tenure as</p> <p>24 a corrections officer at the Trumbull County Jail, ever</p>	<p style="text-align: right;">Page 44</p> <p>1 A Uh-huh, I seen her pull up her shirt.</p> <p>2 Q Did she reveal her naked breasts?</p> <p>3 A She did.</p> <p>4 Q Okay. How many times?</p> <p>5 A Once.</p> <p>6 Q So besides that one time where you saw</p> <p>7 naked breasts, was there ever any other time or</p> <p>8 circumstance where you saw Inmate Katie Sherman exposed?</p> <p>9 A No.</p> <p>10 Q Did you report that incident?</p> <p>11 A I did not.</p> <p>12 Q Why not?</p> <p>13 A I did not report that incident. I</p> <p>14 was -- I was very, very close to getting out on the road,</p> <p>15 and I was stunned that it happened. And I felt that it</p> <p>16 would -- it would put me under a bad light, and I didn't</p> <p>17 need that. I didn't need that right now.</p> <p>18 Q But you --</p> <p>19 A For my career.</p> <p>20 Q Okay, you said it was very close to you</p> <p>21 being out on the road. What do you mean?</p> <p>22 A I mean I was close to getting out. I</p> <p>23 mean, there's a list, you know, and it goes by seniority</p> <p>24 and it goes by politics and merit.</p>

Page 45	Page 47
<p>1 Q So you were on a list where you were 2 supposed to be able to go out on the road? 3 A Oh, sure. It's not a -- it's not the 4 type of list, well, he's number 1, he's number 2, he's 5 number 3. It's, you know, they take interviews and 6 there's -- people have their opinions, and you hope for 7 the best, but I was -- 8 Q Who has that list? 9 A Oh, I don't -- I don't know. That's -- 10 Q Is it part of HR, human resources? 11 A It's up to the Sheriff basically. 12 Q But you said you were up on the list? 13 A Yeah, see, when I said up on the list, I 14 didn't mean there was a physical piece of paper with my 15 name and other potential deputies' names on it. What I 16 meant was, I was in the running of getting out. I was the 17 closest I've ever been. 18 Q How do you know that? 19 A Politics. 20 Q What do you mean? 21 A I mean the word around the jail, people 22 you talk to. 23 Q Okay. Who said that you were top on the 24 list or ready to go out on the road that you know?</p>	<p>1 A Michael. He had Tom and Michael. 2 Michael is the one that I worked with. Tommy, I never 3 worked with Tom. 4 Q Okay. Michael Altieri is the one who 5 told you this? 6 A Correct. 7 Q Okay. And he's now a Warren Police 8 Department detective; correct? 9 A I didn't know he was a detective, but I 10 know he works for Warren. 11 Q All right. Did you ever let the control 12 officer who you worked with on the evening where you saw 13 Katie Sherman naked, did you ever -- 14 MR. DOWNEY: Objection. 15 Mischaracterizes his testimony. He said he saw her 16 breasts. We're not going to play that game. 17 Q When you saw her breasts, how did you 18 see it? 19 MR. DOWNEY: Objection. Form. 20 Q You can answer. 21 A How did I see them? 22 Q Yeah, you said you saw her breasts. How 23 did you see them? 24 A She was facing towards the window. I</p>
Page 46	Page 48
<p>1 A At the time he was our chief, and it was 2 Chief Guarino, and he was pushing for me really hard. 3 Q So did he tell you that you were 4 almost -- 5 A He said I was close, I was close. 6 Q You were close to being out on the road? 7 A I was close to being out. 8 Q Did he give you a time frame? 9 A No. 10 Q Besides Chief Guarino, did anybody else 11 to your knowledge give any indication that you would be 12 out on the road? 13 A I mean, yeah. I -- I worked with 14 Sheriff Altieri's son in Vienna Township. We were 15 patrolmen part-time. And he -- he would -- I -- I'd be on 16 him all the time, you know; and he'd tell me, he said, he 17 goes, you're close, you're getting out. 18 Q And what did -- 19 A It's hearsay, is what it is, but you 20 need that to keep going. You need positive hearsay in 21 this. 22 Q What is Sheriff Altieri's son's name? 23 A Tom. Or I'm sorry, Michael. 24 Q Michael?</p>	<p>1 hit the control button. I always scan to make sure 2 everybody's there and nobody's bleeding or fighting or 3 something stupid. And when I made eye contact, as I was 4 spinning around towards the door, she flipped them up. 5 Q Okay. So her breasts were exposed? 6 A Correct. 7 Q Okay. Did you ever inform the control 8 officer you worked with that evening that that incident 9 happened? 10 A No. 11 Q Did you inform anybody? 12 A No. 13 Q Did you, while at work as a corrections 14 officer at the Trumbull County Jail, did you ever observe 15 Inmate Katie Sherman simulate a sexual act? 16 A No. 17 Q Did you ever ask Inmate Katie Sherman to 18 simulate a sexual act? 19 A No. 20 Q Did you ever tell Katie Sherman that she 21 was hot? 22 A No. 23 Q Or characterize her in that way? 24 A No.</p>

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<p>1 Q Did you have any communication with</p> <p>2 Katie Sherman during your time there?</p> <p>3 A Just professional.</p> <p>4 Q What do you mean by professional?</p> <p>5 A I mean she -- she'd ask me questions,</p> <p>6 normal inmate questions. That's all. Whether it be, to</p> <p>7 give you some examples, whether it be a visitors list or</p> <p>8 is lunch on its way or run-of-the-mill, everyday</p> <p>9 conversation.</p> <p>10 Q Okay. Regarding a visitors list, what</p> <p>11 is that?</p> <p>12 A A visitors list is a sheet of paper that</p> <p>13 an inmate writes out that they want to put -- they -- in</p> <p>14 order for people to visit them during visiting time, they</p> <p>15 have to have them on a list, okay, which already has to be</p> <p>16 in the jail database or they can't come in.</p> <p>17 Q Okay. At any point of Katie Sherman's</p> <p>18 incarceration here, did she provide you with what was</p> <p>19 purportedly a visitors list?</p> <p>20 A She -- she told me it was a visitors</p> <p>21 list.</p> <p>22 Q Did she hand you a piece of paper?</p> <p>23 A She handed me the piece of paper.</p> <p>24 Q And what was in the paper?</p>	<p>1 Q Did you ever tell other female inmates</p> <p>2 at the Trumbull County Jail that you would like to have</p> <p>3 sexual relations with Inmate Katie Sherman?</p> <p>4 A No.</p> <p>5 Q Or a non-professional relationship?</p> <p>6 A No.</p> <p>7 Q Do you know of a Jessica Friends?</p> <p>8 A She's an inmate.</p> <p>9 Q Do you know when she was an inmate at</p> <p>10 the Trumbull County Jail?</p> <p>11 A Do I know when she was an inmate? She</p> <p>12 was there when I was there. I couldn't give you an exact</p> <p>13 date, no.</p> <p>14 Q Okay. Do you know if they were, Katie</p> <p>15 Sherman and Jessica Friends were ever in the same pod?</p> <p>16 A I couldn't tell you for sure, but they</p> <p>17 were all -- they were moved frequently for various</p> <p>18 reasons.</p> <p>19 Q And were you a corrections officer at</p> <p>20 the time that Jessica Friends was incarcerated here?</p> <p>21 A Yes.</p> <p>22 Q Okay. Did you have any communication</p> <p>23 with Jessica Friends that was professional?</p> <p>24 A All professional.</p>
Page 50	Page 52
<p>1 A In consisting in the piece of paper,</p> <p>2 there was a note for me.</p> <p>3 Q And what did the note state?</p> <p>4 A The note stated that she wanted to get</p> <p>5 together with me after she got out.</p> <p>6 Q Okay. Was that proper communication</p> <p>7 between an inmate and a corrections officer?</p> <p>8 A No.</p> <p>9 Q Did you report that?</p> <p>10 A I did not. I got rid of it immediately.</p> <p>11 Q Okay. Do you know when that was that</p> <p>12 she gave you this visitors list note?</p> <p>13 A I can't -- I didn't write it down and I</p> <p>14 didn't report it, so I'm going to have to say no.</p> <p>15 Q And would it be true that you didn't</p> <p>16 report it to the control officer as well that you received</p> <p>17 this note?</p> <p>18 A That's true.</p> <p>19 Q And you didn't report it to anybody in</p> <p>20 the jail administration?</p> <p>21 A Correct.</p> <p>22 Q And you didn't report it to anybody at</p> <p>23 all?</p> <p>24 A Correct.</p>	<p>1 Q Okay. Any that was not professional?</p> <p>2 A No.</p> <p>3 Q How about Jessica Dean?</p> <p>4 A No.</p> <p>5 Q Do you know who Jessica Dean is?</p> <p>6 A She was an inmate when I was here.</p> <p>7 Q Okay. And did you have any</p> <p>8 communication with Jessica Dean?</p> <p>9 A All professional.</p> <p>10 Q Do you know a Michele Rafferty?</p> <p>11 A Yes.</p> <p>12 Q Who would that be?</p> <p>13 A Michele Rafferty? Michele Rafferty is</p> <p>14 the -- she's the plaintiff in this case.</p> <p>15 Q And she was also an inmate at the</p> <p>16 Trumbull County Jail?</p> <p>17 A That is correct.</p> <p>18 Q Okay. Did you have any communication</p> <p>19 with Michele Rafferty during your tenure here?</p> <p>20 A Sure.</p> <p>21 Q Do you know how many times you had</p> <p>22 communication with Michele Rafferty?</p> <p>23 A I mean, how many times I've had</p> <p>24 communication as a number?</p>

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<p>1 Q Yes.</p> <p>2 A I couldn't -- I couldn't give you a</p> <p>3 number on any.</p> <p>4 Q Was this an inmate you spoke to often?</p> <p>5 A Only when needed be.</p> <p>6 Q Do you have any recollection of a</p> <p>7 conversation with Ms. Rafferty and yourself while you were</p> <p>8 a corrections officer at the jail?</p> <p>9 A Do I have?</p> <p>10 Q Any recollection of a conversation you</p> <p>11 had with Ms. Rafferty?</p> <p>12 A Sure.</p> <p>13 Q Could you describe that?</p> <p>14 MR. DOWNEY: Which one?</p> <p>15 Q Well, I'm asking him regarding -- how</p> <p>16 many conversations have you had with her?</p> <p>17 A I can't recall how many conversations I</p> <p>18 had.</p> <p>19 Q Okay. But do you recall one?</p> <p>20 A Yes.</p> <p>21 Q Okay. Could you describe that?</p> <p>22 A Sure. I recall the conversation I had</p> <p>23 when she stopped me in the pod.</p> <p>24 Q Do you know what time of day or night</p>	<p>1 A Rafferty and Smerdell, I believe.</p> <p>2 Q Do you know Smerdell's first name?</p> <p>3 A No.</p> <p>4 Q Okay.</p> <p>5 A And --</p> <p>6 Q Smerdell would be another inmate; is</p> <p>7 that correct?</p> <p>8 A Correct.</p> <p>9 Q Okay.</p> <p>10 A She asked me about Katie, implying that</p> <p>11 there was something going on between me and her. I</p> <p>12 expressed that there wasn't. There was never anything</p> <p>13 going on and never will be anything going on. Never ever,</p> <p>14 ever happen forever, no way. They mentioned that the</p> <p>15 girls in the pod were upset that she was giving me all</p> <p>16 this attention and it made them jealous, okay. They told</p> <p>17 me that they were -- they smoothed things over with the</p> <p>18 girls in the pod and for that reason they wanted me to</p> <p>19 bring in some contraband for them.</p> <p>20 Q And what contraband would that be?</p> <p>21 A That would have been cigarettes, a</p> <p>22 lighter, and maybe some razors.</p> <p>23 Q Okay. Why do you say maybe some razors?</p> <p>24 A That's the way it was put to me. Maybe</p>
Page 54	Page 56
<p>1 this was?</p> <p>2 A It was, I believe it was my last watch</p> <p>3 tour, was --</p> <p>4 MR. RASKIN: Take your hands away from</p> <p>5 your mouth.</p> <p>6 THE WITNESS: I'm sorry, sir.</p> <p>7 MR. RASKIN: That's okay. Just so the</p> <p>8 court reporter can hear you.</p> <p>9 THE WITNESS: I'm sorry.</p> <p>10 MR. RASKIN: Or me.</p> <p>11 A It was late -- late -- early in the</p> <p>12 morning. It was my last tour. It was a midnight turn.</p> <p>13 Q Do you know when it was?</p> <p>14 A I can't recall what time it was. I --</p> <p>15 it's been a long time since I've worked here. You know</p> <p>16 what I mean?</p> <p>17 Q Do you know what time period, like</p> <p>18 month, day, week?</p> <p>19 A It was -- it had to have been shortly</p> <p>20 after Sherman left, because she wasn't there at the time.</p> <p>21 Q Okay.</p> <p>22 A Okay. I hit the button; they stopped</p> <p>23 me.</p> <p>24 Q Who is they?</p>	<p>1 some razors. The jail provides razors, obviously, but I'm</p> <p>2 just speculating, they're not very good razors and you</p> <p>3 only get one. They don't last. They don't go very far.</p> <p>4 Q Do you remember who was speaking; was it</p> <p>5 Rafferty or Smerdell?</p> <p>6 A Rafferty.</p> <p>7 Q She was the one who was saying the</p> <p>8 whole --</p> <p>9 A Rafferty said the whole thing.</p> <p>10 Q And Smerdell was listening?</p> <p>11 A Smerdell was -- was whispering in her</p> <p>12 ear the whole time. They were sitting side by side on the</p> <p>13 bunk.</p> <p>14 Q Okay. Would that be proper behavior of</p> <p>15 an inmate to a corrections officer by Ms. Rafferty or by</p> <p>16 Ms. Smerdell, the behavior that they were exhibiting?</p> <p>17 A Blackmailing? Blackmailing, absolutely</p> <p>18 not.</p> <p>19 Q Okay. You consider that very severe?</p> <p>20 A I was -- I did, for sure. I've never</p> <p>21 been confronted like that.</p> <p>22 Q Okay. Did you immediately go and talk</p> <p>23 to the control officer and tell her what's happening?</p> <p>24 A I did. I -- I pondered for maybe ten</p>

<p style="text-align: right;">Page 57</p> <p>1 minutes maybe to figure out how serious this was and how 2 serious this could be, and it -- and I came to the 3 conclusion it was very, very serious; and I did do that, 4 yes. 5 Q Okay. Did you at any time ask the 6 control officer to turn the audio on? 7 A The audio should have been on. 8 Q Okay. 9 A I didn't anticipate this happening when 10 I walked in there. 11 Q So you walked in where exactly? 12 A I walked in the pod. 13 Q Okay. Who else was there besides 14 Ms. Rafferty and Ms. Smerdell? 15 A There may have been other inmates, but 16 I -- I don't recall who they were or where they were 17 positioned. 18 Q Okay. And who was the control officer 19 at the time? 20 A Who was working with me? 21 Q Yes. 22 A Rose O'Brien. 23 Q And what did she state to you when you 24 told her this?</p>	<p style="text-align: right;">Page 59</p> <p>1 A Correct. And it was like, well, you 2 know, do what you want. And I -- I proceeded to get a 3 second opinion. 4 Q And who did you get that second opinion 5 from? 6 A I got a second opinion from, oh, God, 7 what's her name. I'm trying to think of her name. I'm 8 just getting a mind blank. 9 MR. DOWNEY: Keep it so we can hear you. 10 A Oh. I know I worked with her for years. 11 I know who she is. I just can't think of her name. I'm 12 drawing a blank. 13 Q Had you ever reported other inmates for 14 improper behavior to somebody besides the control officer 15 you were working with? Is there a chain of command, is 16 what I'm getting at? 17 A The chain of command would be the 18 assistant warden. 19 Q Okay. Would it be the assistant warden 20 that you went to that evening? 21 A Eventually, but it was an acting 22 assistant warden. The regular assistant warden was not on 23 duty. We had a corrections officer who was acting as an 24 acting assistant warden. And I'm still trying to think of</p>
<p style="text-align: right;">Page 58</p> <p>1 A Rose, Rose, Rose didn't give me -- she 2 didn't give me too much comfort as far as this was 3 concerned. I didn't -- I don't think she recognized the 4 seriousness of it. And I got a second opinion. 5 Q Okay. What did you tell Rose O'Brien 6 specifically? 7 A I told her exactly what happened. I was 8 like, hey, I just walked in there; these two females are 9 threatening to blackmail me. 10 Q You used the term blackmail? 11 A Well, sure. 12 Q Okay. 13 A It's the only thing I could think of. 14 Q Okay. 15 A And what do you think I should do, you 16 know. 17 Q And her response was? 18 A She was like, she was like, well, maybe 19 you should tell somebody, but, you know, it's -- nothing's 20 probably going to come of it. And I was like, well, Rose, 21 shouldn't I just cover my ass, though? I mean, I got to 22 cover my ass. This is serious. This is the first time 23 this has ever happened. 24 Q Happened to you?</p>	<p style="text-align: right;">Page 60</p> <p>1 the second female. 2 Q We can go back to that. The second, 3 when did you go to the second female corrections officer? 4 A After I talked to Rose. 5 Q So immediately? 6 A I -- I called her where she was working. 7 Don't ask me what pod it was 'cause I don't remember. But 8 I called the phone on that pod and I told her the 9 situation, exactly what I told Rose. And she said it 10 would be to my best interest if I called down to Tomko, 11 which was our acting assistant warden, and told him. And 12 the only way I could do that is if Tomko sent a rover up 13 to take my place, 'cause there has to be a male and a 14 female up there all the time, so I could go down and talk 15 to him. That's what I did. 16 Q Okay. Did that happen immediately? 17 A Yeah. 18 Q What time frame are we talking about? 19 Right after this conversation with Rafferty and Smerdell, 20 you went immediately to Ms. O'Brien; is that correct? 21 A It took -- it took me about -- 22 MR. DOWNEY: Objection. You can answer 23 again. 24 A It took me about ten minutes.</p>

<p style="text-align: right;">Page 61</p> <p>1 Q Ten minutes, okay. After talking to 2 Corrections Officer O'Brien, how long was it before you 3 talked to the other female? 4 A I'm thinking. Yeah, I can't believe I 5 can't remember her name. It's driving me nuts. It was 6 immediately. I called her immediately after I talked to 7 Rose. 8 Q Okay. And did you get a response from 9 this female? 10 A Yes. 11 Q Immediately? 12 A Oh, sure. We were on -- we were on the 13 line. 14 Q Okay. And then subsequent to that, how 15 long did it take before you talked to Assistant Warden 16 Tomko? 17 A Tomko in person downstairs? It -- the 18 rover that he was sending up to me was in the middle of 19 booking somebody in. So that took, man, it took -- it 20 took a little while. It may have been 15, 20 minutes 21 'cause he was pushing him to get him up there. And in 22 that time I don't believe I entered the -- I don't believe 23 I entered the trustee pod again. I did not go back in 24 there as far as I can recall.</p>	<p style="text-align: right;">Page 63</p> <p>1 A I was -- I was aware that she -- that 2 she liked me, but I never, never gave that back. 3 Q Okay. How were you aware that she liked 4 you? 5 A I mean, she -- just the, you know, the 6 laughing, the light-hearted laughing bull -- kind of stuff 7 that goes on. 8 Q Besides laughing, was there any 9 conversations, any talk? 10 A No, not -- nothing other than 11 professional. There wasn't any time for that. I mean, 12 I -- the only reason I stopped and talked to inmates is 13 when they stopped me when they needed something. 14 Q What happened to the inmates as a 15 consequence of your complaint, if you know? 16 A What happened to the inmates? 17 Q Yes, what happened to Smerdell and 18 Rafferty? 19 A I mean, I -- I assume they were -- they 20 were interrogated or questioned. 21 Q You're alleging blackmail; correct? 22 A Oh, absolutely. 23 Q So weren't you curious as to what 24 happened, what punishment they got?</p>
<p style="text-align: right;">Page 62</p> <p>1 Q Okay. Did you do a written report? 2 A Yes. 3 Q Is it called a complaint or is it just a 4 written report? 5 A Incident report. 6 Q Okay. And did you sign this? 7 A Correct. 8 Q What did you say in the incident report? 9 A In the incident report I said the same 10 thing I just told you when you asked me from the very 11 beginning. I went in, took my last tour, and I was 12 stopped. I said inmates were sitting closely side by side 13 speaking very low, and they asked me how Katie was doing. 14 They were implying we were boyfriend and girlfriend. I 15 told them we weren't, that's absurd; I would never date an 16 inmate. You know, where is this going; where did you get 17 that? 18 All the other inmates here were jealous because of 19 the way that she treated you or whatever and she liked 20 you. She talked about you all the time. And we smoothed 21 it over, and we would like you to, you know, for that, we 22 would like you to bring in cigarettes, lighter. 23 Q Were you aware of Katie Sherman's 24 affection to you?</p>	<p style="text-align: right;">Page 64</p> <p>1 A No. I mean, at that point, at that 2 point, I mean, what I was there for, which was to be a 3 full-time officer, I mean, and I had a -- I had a pretty 4 impeccable record up to that point, okay; that, that, it 5 was over after that. I -- I felt I blew it out of 6 proportion, I overreacted, and it was over. 7 Q I'm sorry? 8 A And it was over. 9 Q What was over? 10 A My career. 11 Q Because you reported a blackmail by 12 inmates? 13 A No, no, because of what has transpired 14 from it. 15 Q What transpired from it? 16 A What transpired from it? I reported the 17 blackmail. I was investigated. And I knew I was never 18 going to make the road, so I resigned. 19 Q How did you know that you were never 20 going to make the road? 21 A That was my opinion. 22 Q Nobody told you that? 23 A No, nobody said that. They don't have 24 to. It's politics.</p>

<p style="text-align: right;">Page 65</p> <p>1 Q Well, did you hear anything from anybody 2 in administration or Michael Altieri or anyone else? 3 A No. 4 Q So you assumed because you had reported 5 inmate impropriety that you were going to be punished? 6 MR. DOWNEY: Objection. You can answer. 7 A I knew -- I knew I was on the bubble of 8 either being, spending the rest of my life in that jail or 9 doing what I wanted to do, which was to be on the road, 10 okay. I knew there was -- I knew because of being 11 involved with this incident, it was going to hurt that. 12 Q I'm trying to understand why you would 13 think that. Why would it hurt you when you're reporting 14 misconduct by inmates? 15 A Well -- 16 Q Did you do anything wrong? 17 A No, I didn't. What I did wrong is I 18 didn't report when she revealed herself to me. That was 19 my first mistake and my last mistake. And I blame myself 20 for that. 21 Q Separate and apart from Ms. Sherman's 22 misconduct, did you blame yourself for anything regarding 23 Ms. Rafferty and Ms. Smerdell? 24 A No.</p>	<p style="text-align: right;">Page 67</p> <p>1 Q Okay. 2 MR. RASKIN: Thank you. 3 Q When Major Stewart spoke to you, what 4 did he ask you? What was the focus of the investigation? 5 A He asked me a ton of different things, I 6 mean, what happened, if there was an incident. What I 7 just explained to you. I mean, what do you want in 8 particular? 9 Q Was all of your conversation with Major 10 Stewart recorded? 11 A Yes. 12 Q Okay. There was nothing outside of 13 that, the recording? 14 A No. 15 Q Did you listen to that recording between 16 you and Major Stewart? 17 A I did. 18 Q Okay. So there was nothing outside of 19 that recording; is that correct? 20 A That's correct. 21 Q All right. After the interview by Major 22 Stewart, were you asked to take a polygraph? 23 A I was. 24 Q Were you given your Garrity rights?</p>
<p style="text-align: right;">Page 66</p> <p>1 Q You were questioned you said as to what 2 happened; correct? 3 A Uh-huh. 4 Q By whom? 5 A I was questioned? What do you mean? 6 Q Yeah, by, you said you were -- this was 7 investigated? 8 A Yeah, by Major Stewart. 9 Q Okay. Was that the only person you 10 spoke to? 11 A Basically, yeah. Yeah, he was our -- 12 yeah, he was the -- he was the head of internal affairs. 13 Q Did Eric Shay speak to you? 14 A No. 15 Q Did Sheriff Altieri speak to you? 16 A No. 17 Q Anyone else? 18 A No. 19 Q Okay. When they spoke to you, did 20 they -- did they ask -- 21 MR. RASKIN: Objection. Who's they? 22 Q Well, you said, I'm sorry, that you only 23 spoke to Major Stewart; correct? 24 A Correct.</p>	<p style="text-align: right;">Page 68</p> <p>1 A I was. 2 Q Was your union representative with you 3 at the time? 4 A He was. 5 Q The whole time? 6 A Yes. 7 Q Okay. And what happened based on the 8 request for a polygraph? 9 MR. DOWNEY: Objection. You can go 10 ahead and answer. 11 A I -- initially I -- I said I was going 12 to take it. I said, yeah, set it up, let's do this, let's 13 get this done, initially. But I lied to the man twice 14 during the interview, and that, that pretty much nailed my 15 coffin, so to speak, for my career. In my mind, that's 16 how I felt. 17 Q Okay. You said you lied twice during 18 the interview. What? 19 A I lied twice during the interview. 20 Q Could you tell me the two lies? 21 A I lied with marital problems I was 22 having with my wife over financial, and I lied to him when 23 I -- he asked me if her breasts was exposed to me and I -- 24 I told him no. And I -- and I knew -- I knew it was over</p>

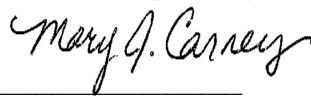
<p style="text-align: right;">Page 69</p> <p>1 right when I told that lie. I knew it.</p> <p>2 Q Why did you know it?</p> <p>3 A Because it was a lie and I -- I pretty</p> <p>4 much disgraced every ideal that I've ever stood for.</p> <p>5 Q So you were aware that you violated the</p> <p>6 policies, practices, and procedures relating to the</p> <p>7 interaction between male corrections officers and female</p> <p>8 inmates at the Trumbull County Jail?</p> <p>9 MR. DOWNEY: Objection.</p> <p>10 MR. RASKIN: Forgive me, I couldn't hear</p> <p>11 that question. Would you be kind enough to read it?</p> <p>12 Q So, so you became -- you were aware that</p> <p>13 you violated the policies, practices, and procedures</p> <p>14 relating to the interaction between male corrections</p> <p>15 officers and female inmates at the Trumbull County Jail?</p> <p>16 MR. DOWNEY: Objection. Vague. You're</p> <p>17 going to have to be more specific with that question. I</p> <p>18 mean, answer it if you know.</p> <p>19 A I don't know.</p> <p>20 Q Okay, let's do it this way.</p> <p>21 MR. DOWNEY: Were you asking did he know</p> <p>22 it's wrong that he saw the woman's breasts and didn't</p> <p>23 report it? Then ask that.</p> <p>24 MS. KOVOOR: I'll ask my own questions.</p>	<p style="text-align: right;">Page 71</p> <p>1 violation. If that's a violation to an officer that has</p> <p>2 seen a female inmate expose herself, that's -- that's -- I</p> <p>3 don't believe that's a violation to the officer because</p> <p>4 the officer didn't do anything to provoke that.</p> <p>5 Q Is it a violation not to report it?</p> <p>6 A I'd say it is, yes.</p> <p>7 Q Okay. So is that a violation of</p> <p>8 Trumbull County policy, jail policy?</p> <p>9 A I'm going to have to say it is.</p> <p>10 Q Okay. Was it a violation of Trumbull</p> <p>11 County Jail practices that you were trained about?</p> <p>12 MR. RASKIN: I'm sorry, you keep</p> <p>13 dropping your voice.</p> <p>14 Q Was it a violation of Trumbull County</p> <p>15 Jail practices that you were trained about?</p> <p>16 MR. RASKIN: Practices. I'm sorry.</p> <p>17 A So you're asking --</p> <p>18 Q What --</p> <p>19 A -- does it state if a female inmate ever</p> <p>20 exposed herself, we are to report it, in practice</p> <p>21 purposes?</p> <p>22 Q In your training, were you provided</p> <p>23 recommendations of how to report inmate misconduct?</p> <p>24 A Well, sure, there's a --</p>
<p style="text-align: right;">Page 70</p> <p>1 I'll ask my own questions, thank you.</p> <p>2 MR. DOWNEY: I may be able to do a</p> <p>3 little better job of it than you. But go ahead.</p> <p>4 MS. KOVOOR: I'll ask my own questions,</p> <p>5 okay?</p> <p>6 MR. DOWNEY: Go ahead. Go ahead, move</p> <p>7 forward.</p> <p>8 MS. KOVOOR: Thank you. Thank you.</p> <p>9 MR. DOWNEY: Yeah, go right ahead.</p> <p>10 Q (BY MS. KOVOOR) Were you aware that you</p> <p>11 violated policies relating to the interaction of male --</p> <p>12 between male corrections officers and female inmates at</p> <p>13 the Trumbull County Jail at that time when you were</p> <p>14 talking to Major Stewart?</p> <p>15 A I -- I should have told him that I saw</p> <p>16 her expose her breasts to me, and I didn't. That was a --</p> <p>17 that was a violation.</p> <p>18 Q Okay. A violation of policy?</p> <p>19 A Female inmates, they're not supposed to</p> <p>20 expose themselves to corrections officers, okay, but if --</p> <p>21 if a female inmate exposed herself to a corrections</p> <p>22 officer, there's nothing a corrections officer can do</p> <p>23 other than report it. Do you understand what I'm saying?</p> <p>24 So I'm not particularly sure if that is a -- if that's a</p>	<p style="text-align: right;">Page 72</p> <p>1 Q Okay.</p> <p>2 A Sure.</p> <p>3 Q And are there practices that corrections</p> <p>4 officers do at the jail that you see day in and day out</p> <p>5 about reporting inmate misconduct?</p> <p>6 A Sure.</p> <p>7 Q In your opinion, at the time when you</p> <p>8 were talking to Major Stewart was it a violation of</p> <p>9 Trumbull County corrections officers' practices?</p> <p>10 A I should have -- I should have reported</p> <p>11 it.</p> <p>12 Q So that's a yes?</p> <p>13 MR. DOWNEY: Objection. You can answer</p> <p>14 it again.</p> <p>15 Q Is that a yes?</p> <p>16 A Yeah, I should have reported it.</p> <p>17 Q Okay.</p> <p>18 MR. DOWNEY: We're going to take a</p> <p>19 break. It's been an hour and a half.</p> <p>20 (A recess was taken 10:26 to 10:38 a.m.)</p> <p>21 Q (BY MS. KOVOOR) Okay, we're back.</p> <p>22 Officer Drennen, we were discussing the investigation by</p> <p>23 Major Stewart or at least the questioning of you. At that</p> <p>24 time you were asked to take a polygraph?</p>

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<p>1 A Correct.</p> <p>2 Q You initially stated you would?</p> <p>3 A Correct.</p> <p>4 Q And then you changed your mind?</p> <p>5 A Correct.</p> <p>6 Q Within a 24-hour period you gave in your</p> <p>7 resignation; is that correct?</p> <p>8 A Correct.</p> <p>9 Q And that would be, your resignation</p> <p>10 would be put in form, proper form, I guess, in Plaintiff's</p> <p>11 Exhibit 1. Are you required to give something in writing</p> <p>12 to resign?</p> <p>13 A I believe you are, yes.</p> <p>14 Q Okay. Are you supposed to give notice?</p> <p>15 A You don't have to, no.</p> <p>16 Q You can resign right away like this?</p> <p>17 A Sure you can.</p> <p>18 Q Are you a member of the union, police</p> <p>19 union?</p> <p>20 A We have --</p> <p>21 Q Or corrections officers union, I'm</p> <p>22 sorry?</p> <p>23 A I believe we all were. It was in</p> <p>24 between United Auto Workers and another union when I was</p>	<p>1 was through when I didn't answer him correctly.</p> <p>2 Q But you were scheduled for a polygraph</p> <p>3 test at the Warren Police Department; correct?</p> <p>4 A No, he said he was going to get</p> <p>5 something and get back to me. It was never a -- there was</p> <p>6 never a designated schedule of be here at this time.</p> <p>7 Q I'm going to now move on to your --</p> <p>8 well, let me ask you something. To your knowledge, was</p> <p>9 there any remedial action taken in response to your report</p> <p>10 of Ms. Smerdell's and Ms. Rafferty's actions?</p> <p>11 A Was there any immediate action?</p> <p>12 Q Remedial, remedial. Any corrective</p> <p>13 action taken against the inmates?</p> <p>14 A Not to my knowledge, except for the fact</p> <p>15 that I -- I wasn't able to be -- wasn't able to work on</p> <p>16 that floor anymore until it was investigated. I had</p> <p>17 absolutely no contact with them after that.</p> <p>18 Q But you were still able to work?</p> <p>19 A Well, I was in the building. Just</p> <p>20 not -- it was not near them.</p> <p>21 Q Did you ever communicate to Ms. Rafferty</p> <p>22 or Ms. Smerdell that you would make their stay here</p> <p>23 uncomfortable?</p> <p>24 A Absolutely not.</p>
Page 74	Page 76
<p>1 there. I really wasn't involved in that much. It was</p> <p>2 more with the -- with the -- the senior corrections</p> <p>3 officers were trying to work that out. That had to do</p> <p>4 with pay, and I was hired in with the old contract pay,</p> <p>5 which was higher.</p> <p>6 Q So did you receive severance pay?</p> <p>7 A Severance?</p> <p>8 Q Leaving here, were you --</p> <p>9 A No.</p> <p>10 Q -- given any pay? How much were you</p> <p>11 making immediately prior to your resignation?</p> <p>12 A Oh, man, I'm trying to think. I think</p> <p>13 it was around 15 or 16. I can't remember. I never -- I</p> <p>14 never looked at my -- it was always direct deposit, and I</p> <p>15 never -- I never looked at -- I never looked at my checks</p> <p>16 because my -- my wife handled all that for us.</p> <p>17 Q Okay. But you did have two dependents</p> <p>18 at the time at least?</p> <p>19 A Correct.</p> <p>20 Q Okay. Did you decide to resign after</p> <p>21 you were told that you needed to take a polygraph test?</p> <p>22 A I was -- I was -- decided to resign in</p> <p>23 the midst of that -- in the midst of that conversation I</p> <p>24 had with Stewart. I knew -- I knew immediately I was -- I</p>	<p>1 Q Have you ever had any complaints filed</p> <p>2 against you by any inmates during your tenure here at the</p> <p>3 Trumbull County Jail?</p> <p>4 A Not that I can recall.</p> <p>5 Q Were you ever disciplined for any?</p> <p>6 A No.</p> <p>7 Q Were you ever disciplined for anything?</p> <p>8 A Well, other than sick days. I have been</p> <p>9 disciplined for sick days. You're only allowed so many,</p> <p>10 and I -- I violated that.</p> <p>11 Q Did you ever tell Ms. Rafferty that</p> <p>12 you've been investigated several times during your</p> <p>13 employment as a corrections officer?</p> <p>14 A I don't -- I don't understand. When --</p> <p>15 when did --</p> <p>16 Q Did you ever tell Ms. Rafferty that</p> <p>17 you've been investigated several times during your</p> <p>18 employment here as a corrections officer?</p> <p>19 A I don't recall that, no.</p> <p>20 Q Have you ever been questioned by</p> <p>21 internal affairs previous to this?</p> <p>22 A No.</p> <p>23 Q Were you concerned that your statement</p> <p>24 was being audio taped?</p>

<p style="text-align: right;">Page 77</p> <p>1 A Was I concerned? No.</p> <p>2 Q Okay. You mentioned in your audio tape</p> <p>3 that, and if I'm stating anything wrong, stop me and</p> <p>4 correct me, okay, because I have it. I basically tried to</p> <p>5 transcribe it. There's been no transcription, as far as I</p> <p>6 know, of the audio of your statement, so I'm going by my</p> <p>7 own transcription of it. You said -- did you know why you</p> <p>8 were there, first of all?</p> <p>9 A Yes.</p> <p>10 Q Okay. What was the reason for you being</p> <p>11 there?</p> <p>12 A Because of the incident report that I</p> <p>13 had written for these two women.</p> <p>14 Q So they were investigating the inmates</p> <p>15 at that time; Major Stewart and the administration was</p> <p>16 there doing an investigation of your report against the</p> <p>17 inmates; is that correct?</p> <p>18 A Correct.</p> <p>19 Q Okay. Was there any other reason for</p> <p>20 that, for the investigation taking place?</p> <p>21 A I mean, not until the investigation</p> <p>22 started, I was aware that there were apparently</p> <p>23 allegations against me.</p> <p>24 Q Okay. Did you say that, in the audio</p>	<p style="text-align: right;">Page 79</p> <p>1 A No.</p> <p>2 Q -- that would cause these girls to be</p> <p>3 jealous?</p> <p>4 A No.</p> <p>5 Q Later you said in your statement, your</p> <p>6 audio statement, that the girls made reference to</p> <p>7 smoothing something over for you?</p> <p>8 A Right.</p> <p>9 Q What event was it that was supposed to</p> <p>10 be smoothed over?</p> <p>11 A Well, apparently everybody was,</p> <p>12 according to them again, everybody was jealous of the --</p> <p>13 of how Katie felt, Ms. Sherman felt about me. I mean, I</p> <p>14 don't know how, any other way to explain that.</p> <p>15 Q You stated that you believed yourself to</p> <p>16 be on Eric Shay's, excuse my language, "shit list,"</p> <p>17 quote/unquote?</p> <p>18 A Yeah, me and Eric didn't see eye to eye</p> <p>19 a whole lot, I mean, but that was -- that was just a</p> <p>20 personality conflict.</p> <p>21 Q Who was your immediate supervisor?</p> <p>22 A My immediate supervisor was John Buch,</p> <p>23 who is the -- who was the assistant warden on midnight</p> <p>24 turn.</p>
<p style="text-align: right;">Page 78</p> <p>1 taped statement, did you state that the girls in the pod</p> <p>2 used to get jealous that Katie would talk to you?</p> <p>3 A According to them.</p> <p>4 Q Okay. So according to the inmates, the</p> <p>5 inmates were jealous of Katie because she was talking to</p> <p>6 you; is that correct?</p> <p>7 A According to the inmates. That's what</p> <p>8 they told me when they --</p> <p>9 Q Okay. To your understanding, who was</p> <p>10 jealous that Katie was talking to you?</p> <p>11 A The inmates, inmates in the pod at the</p> <p>12 time. I can't give you any, any specifics because I</p> <p>13 didn't know it.</p> <p>14 Q What reason would they have to be</p> <p>15 jealous?</p> <p>16 MR. DOWNEY: Objection. Calls for</p> <p>17 speculation. You can answer if you know.</p> <p>18 A She obviously -- she obviously had a</p> <p>19 healthy -- unhealthy way of thinking. I mean, there was</p> <p>20 no way we were ever going to be together. It was -- and</p> <p>21 it was very unhealthy for her to think that way. And I</p> <p>22 think it made everybody upset.</p> <p>23 Q Okay. Did you ever give Katie</p> <p>24 preferential treatment --</p>	<p style="text-align: right;">Page 80</p> <p>1 Q Okay. And who was Eric Shay at the</p> <p>2 time?</p> <p>3 A Eric Shay is a lieutenant.</p> <p>4 Q So how many times did you have occasion</p> <p>5 to interact with Eric Shay?</p> <p>6 A How many times? I mean, just in passing</p> <p>7 or if -- if something -- if something minor went wrong and</p> <p>8 he wanted to talk to me about it or just run-of-the-mill</p> <p>9 jail operations.</p> <p>10 Q So you have been under his supervision</p> <p>11 regarding any conduct that you had?</p> <p>12 A Sure.</p> <p>13 Q Okay. Was there any incidences where he</p> <p>14 questioned you for questionable conduct with inmates?</p> <p>15 A Not really. I mean, through my four</p> <p>16 years here, I mean, I've made mistakes. Nothing that</p> <p>17 would have gotten me in super hot water or suspended, you</p> <p>18 know what I mean. And Eric was always a guy to try to</p> <p>19 make things right and set you straight to make you a</p> <p>20 better officer.</p> <p>21 Q So that's why I'm wondering why you said</p> <p>22 you believed yourself to be on his shit list?</p> <p>23 A Well, I mean, it's just the way we</p> <p>24 talked in the jail. You know what I mean. It was -- I</p>

<p style="text-align: right;">Page 81</p> <p>1 could have said -- I could have rephrased that and said, 2 you know, me and Eric haven't been getting along lately, 3 you know, or something to that effect. 4 Q Later on in the audio taped statement 5 you stated that you transported Cordwell to the county and 6 that she had motive to make up lies about you; is that 7 correct? 8 A At the time I -- I felt that way, yes. 9 Q Why? 10 A Just the way the -- the way the arrest 11 transpired, I was -- I was called to assist Brookfield. 12 And that's all I did; I assisted. I -- I met them there. 13 Apparently, apparently there was too many suspects that 14 they were comfortable with from -- with only two 15 Brookfield cruisers, so I -- I was on duty, my 16 jurisdiction, by myself, and there was nothing going on; 17 they called for an assist, and I came and I assisted them. 18 And the females were pretty -- they were pretty 19 upset, you know, 'cause they were arrested. And I -- I 20 don't like to egg things on. I stand in the background. 21 I do what I'm told. If you need me to help you, I'll help 22 you. If you need me to document something, I'll document 23 something, that's fine. You know, that was my job when 24 assisting another agency.</p>	<p style="text-align: right;">Page 83</p> <p>1 Q Okay. And did you -- did Smerdell -- 2 oh, this is Cordwell, I'm sorry. Did Cordwell call you 3 any other names? 4 A Not that I can recall at this time. I 5 mean, she was just very, very irate. She seemed to be 6 directing all her anger towards me. And I didn't arrest 7 her, but of course I was there assisting, so -- 8 Q Did you report this conduct by Cordwell? 9 A No, I -- it wasn't really -- I mean, 10 there was no violation. There was no crime. There was 11 nothing against me. I mean, if -- if I'm walking down the 12 street and somebody calls me an A-hole, I mean, they don't 13 get arrested for that. You know what I mean? 14 Q So to you this was minor? 15 A Well, yeah, it was minor, but it was 16 definitely something I thought at the time important 17 enough to mention to Major Stewart. 18 Q And is it your impression that that's 19 the basis that she was making up this story about you? 20 A I don't know why she was making this 21 story up about me. I can't answer that question. 22 Q Do you know why Rafferty, DeNicholas, 23 and Smerdell would also report witnessing improper 24 behavior between yourself and Ms. Sherman?</p>
<p style="text-align: right;">Page 82</p> <p>1 And she -- she -- she was -- she was upset that she 2 couldn't tell her boyfriend goodbye. I had nothing to do 3 with that. And she expressed, she called me an asshole 4 for that. And I hear that. You know, I'm used to that, 5 you know, being, working in a jail. And then when we got 6 to Brookfield, apparently she wasn't telling the truth to 7 Scott. He asked if she had an out-of-state ID; she said 8 no. She ended up pulling something out of her bra 9 apparently that was an ID. Scott got pretty irate. 10 Q This would be Scott Thompson? 11 A Thompson. She also pulled a cigarette 12 out of her bra or underwear area, underneath her shirt, 13 somewhere underneath there. I'm just saying bra because I 14 don't know where else she could have put it, but I didn't 15 see it. She pulled it out. And there was some talk early 16 on that she would be able to smoke that before she was 17 transported. Not by me. And she goes, well, you guys 18 said I could smoke this, and she looked right at me and 19 she goes, when am I going to get to smoke this? And I go, 20 you're probably not going to get to. They're not going to 21 let you smoke that. And again I was -- I was the asshole 22 for that. And after that I pretty much had enough. I 23 needed to be back in my own township. They didn't need me 24 here.</p>	<p style="text-align: right;">Page 84</p> <p>1 A No. 2 Q Do you believe that Rafferty, 3 DeNicholas, and Smerdell also had motives to make up lies 4 about you? 5 A I don't see why they would. I mean, 6 I've never -- I've never done anything in that jail but 7 try to help the inmates that needed help that didn't go 8 beyond the scope of my authority. 9 Q Do you know whether any of these 10 individuals knew each other, Rafferty, DeNicholas, 11 Smerdell, and Cordwell, prior to being inmates at the 12 jail? 13 A Do I know for sure? No. But I just 14 assumed that they have, you know. I can't say that they 15 have for sure and I know that for sure, no. 16 Q Do you know whether any of those inmates 17 that I mentioned, Cordwell, Rafferty, DeNicholas, or 18 Smerdell, knew Katie Sherman prior to being inmates at the 19 jail? 20 A I can't, no. I don't keep tabs on them. 21 Q You stated something in your statement 22 that you felt the need to scold and embarrass Katie in 23 front of the other inmates a week before her release? 24 A I felt the need to?</p>

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<p>1 Q Yes.</p> <p>2 A I don't --</p> <p>3 MR. DOWNEY: Objection. It misstates</p> <p>4 his statement. If you want to talk about the statement,</p> <p>5 play it. If you have the recording, play it.</p> <p>6 Paraphrasing it is not going to work.</p> <p>7 Q Do you remember making a statement to</p> <p>8 Major Stewart as to you needing to communicate something</p> <p>9 to Katie?</p> <p>10 A I told Katie -- I told Katie in front of</p> <p>11 the pod that this was never going to happen. Never, ever,</p> <p>12 ever going to happen. That's what I told her, in a</p> <p>13 nutshell.</p> <p>14 Q Did you state to Major Stewart that</p> <p>15 Katie would talk over the intercom to you?</p> <p>16 A No.</p> <p>17 Q You did not?</p> <p>18 A I don't, no. Talk over the intercom to</p> <p>19 me? I mean, inmates have the -- they have the option to</p> <p>20 hit an intercom to open my door or close my door, let me</p> <p>21 out, there's a problem in here, whatever, I mean, but</p> <p>22 other than -- other than officer-inmate regular, you know,</p> <p>23 there wasn't -- there wasn't anything out of the ordinary.</p> <p>24 Q So Katie was not flirting with you over</p>	<p>1 but Officer Drennen?</p> <p>2 A No.</p> <p>3 Q She would not refer to you with any</p> <p>4 other name?</p> <p>5 A No, Drennen is what everybody called me.</p> <p>6 Q Would she ever refer to you as Babe?</p> <p>7 A Not that I can recall.</p> <p>8 Q Or something that would refer to you as</p> <p>9 her boyfriend?</p> <p>10 A No, no.</p> <p>11 Q You refer in your statement a second</p> <p>12 time that you told Katie to stop it because you were</p> <p>13 worried about losing your job; do you remember that?</p> <p>14 A I remember her telling me if, you know,</p> <p>15 if she keeps this up, she's going to get me fired.</p> <p>16 Q She meaning Katie Sherman?</p> <p>17 A Correct.</p> <p>18 Q Could you describe that conversation?</p> <p>19 A Yeah, I mean, yeah, that was basically</p> <p>20 ran into me confronting her in front of the whole pod that</p> <p>21 this has to stop. You know, it was tied in. It was --</p> <p>22 Q What had to stop?</p> <p>23 A She -- the way she talked about me</p> <p>24 apparently from the other inmates. You know, making them</p>
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<p>1 the intercom?</p> <p>2 A No, I can't recall her flirting with me</p> <p>3 over the intercom.</p> <p>4 Q Was she ever joking with you through the</p> <p>5 intercom?</p> <p>6 A Not that I can recall. I mean, they</p> <p>7 would -- they would call in and say stupid things when</p> <p>8 they were bored; but I mean, it was nothing to -- to get</p> <p>9 anybody in trouble over.</p> <p>10 Q Do you remember anything specific that</p> <p>11 Katie stated to you that was stupid through the intercom?</p> <p>12 A No, I never -- I never memorized any of</p> <p>13 that stuff and took it to heart. People are bored.</p> <p>14 Q Did she provide you anything else in</p> <p>15 writing besides that note in the visitors list?</p> <p>16 A No.</p> <p>17 Q Later on in the audio taped statement</p> <p>18 you stated that Katie, you didn't think Katie writing you</p> <p>19 love notes was a big deal?</p> <p>20 A I mean, there's -- I -- I didn't report</p> <p>21 it, you know what I mean. So if I didn't report it, I</p> <p>22 didn't think it was a big deal. It was just, it was</p> <p>23 immediately discarded.</p> <p>24 Q Would she ever refer to you as anything</p>	<p>1 all jealous or whatever the hell was going on in there.</p> <p>2 I -- I can't -- I can't definitively say what was said,</p> <p>3 what exactly was said, okay. But what was -- what was</p> <p>4 evident was she obviously had a thing for me and it pissed</p> <p>5 all the other inmates off in that pod, and I never did</p> <p>6 anything to lead her on.</p> <p>7 Q Okay. Do you remember Jessica Dean was</p> <p>8 housed in B Pod?</p> <p>9 A Sure.</p> <p>10 Q Do you know whether Ms. Sherman's</p> <p>11 interpretation of her relationship with you upset Jessica</p> <p>12 Dean?</p> <p>13 MR. RASKIN: Objection. Calls for</p> <p>14 speculation.</p> <p>15 MR. DOWNEY: Objection. Calls for</p> <p>16 speculation.</p> <p>17 Q If you know?</p> <p>18 A I don't know.</p> <p>19 Q Did Jessica Dean ever expose herself to</p> <p>20 you?</p> <p>21 A No.</p> <p>22 Q Was she ever provocative in any way to</p> <p>23 you?</p> <p>24 A No.</p>

<p style="text-align: right;">Page 89</p> <p>1 Q How about Jessica Friends?</p> <p>2 A No.</p> <p>3 MR. DOWNEY: Objection. Asked and</p> <p>4 answered. Answer it again.</p> <p>5 Q Did you ever see any of the inmates that</p> <p>6 I mentioned, Smerdell, Cordwell, Rafferty, Sherman, Dean,</p> <p>7 or Friends, having contraband?</p> <p>8 A Contraband? No. I mean, I would -- no.</p> <p>9 Q During Michele Rafferty's stay while you</p> <p>10 were the corrections officer there, did you ever see her</p> <p>11 act improperly?</p> <p>12 A Rafferty never gave me a problem. I</p> <p>13 mean, there was never any problems really, I mean.</p> <p>14 Q Was she quiet?</p> <p>15 A Yeah, she was actually.</p> <p>16 Q When you went in doing your roving, did</p> <p>17 you, at night, during the midnight shift --</p> <p>18 A Watch tours.</p> <p>19 Q I'm sorry?</p> <p>20 A Watch tours? Or --</p> <p>21 Q Watch tours.</p> <p>22 A Okay.</p> <p>23 Q Did you ever see Ms. Rafferty awake?</p> <p>24 A I mean, I can't think of a time</p>	<p style="text-align: right;">Page 91</p> <p>1 Friends, or Dean, did you have any problems with those</p> <p>2 inmates --</p> <p>3 A No.</p> <p>4 Q -- while you were a corrections officer?</p> <p>5 A No, I really didn't. I mean, no.</p> <p>6 MR. DOWNEY: Other than the blackmail</p> <p>7 thing that we've already talked.</p> <p>8 A That's -- we already talked about that,</p> <p>9 though.</p> <p>10 MR. DOWNEY: Got you.</p> <p>11 MS. KOVOOR: That's all. Thank you.</p> <p>12 MR. RASKIN: I don't have any questions.</p> <p>13 MR. DOWNEY: He'll read.</p> <p>14 (Signature having not been waived, the deposition was</p> <p>15 concluded at 11:03 a.m.)</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p style="text-align: right;">Page 90</p> <p>1 specifically when I was doing a night tour and saw her</p> <p>2 awake or not, but I've seen on my -- on my nightly watch</p> <p>3 tours, okay, I see inmates up. I see inmates asleep on a</p> <p>4 regular basis. Some of them got -- some of them are</p> <p>5 completely covered. Some of them aren't. You know, some</p> <p>6 of them are sitting at their desk. It -- it -- it's --</p> <p>7 all it is, is making sure they're a living, breathing</p> <p>8 body.</p> <p>9 Q What do they usually wear when they go</p> <p>10 to sleep?</p> <p>11 A They wear their jail uniform. There is</p> <p>12 no pajamas.</p> <p>13 Q Are they sleeping in what we call boats?</p> <p>14 A Only when they're on the floor. If they</p> <p>15 don't have a cell, yes.</p> <p>16 Q Did you have any problems with any of</p> <p>17 the other inmates besides Ms. Rafferty during your tenure</p> <p>18 there that we mentioned?</p> <p>19 MR. DOWNEY: Objection. Misstates his</p> <p>20 testimony. You can answer.</p> <p>21 A You're asking me if I ever had --</p> <p>22 Q Any problems with any other inmate?</p> <p>23 We've already discussed Ms. Rafferty. We've already</p> <p>24 discussed Ms. Sherman. Regarding Smerdell, Cordwell,</p>	<p style="text-align: right;">Page 92</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5 REPORTER'S CERTIFICATE</p> <p>6</p> <p>7 I HEREBY CERTIFY that the above and foregoing</p> <p>8 is a true and correct transcript of all the testimony</p> <p>9 introduced and proceedings had in the taking of the</p> <p>10 testimony in the above-entitled matter, as shown by my</p> <p>11 stenotype notes taken by me at the time said proceedings</p> <p>12 were had.</p> <p>13 </p> <p>14</p> <p>15 Mary J. Carney</p> <p>16 Registered Merit Reporter</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

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<p>1 SIGNATURE PAGE</p> <p>2 TO BE COMPLETED BY DEPONENT:</p> <p>3</p> <p>4 I, CHARLES E. DRENNEN, have read the foregoing pages of</p> <p>5 my testimony or have had the foregoing pages of my</p> <p>6 testimony read to me and have noted any changes in form or</p> <p>7 substance of my testimony together with their respective</p> <p>8 corrections and the reasons therefor on the following</p> <p>9 errata sheet(s).</p> <p>10 (Signature) _____</p> <p>11 (Date) _____</p> <p>12 *****</p> <p>13 TO BE COMPLETED BY NOTARY PUBLIC:</p> <p>14 I, _____, a Notary Public in and for</p> <p>15 the State of _____, hereby acknowledge that</p> <p>16 the above-named deponent personally appeared before me,</p> <p>17 swore to the truth of the foregoing statements and affixed</p> <p>18 his/her signature above as his/her own true act and deed.</p> <p>19 (Signature) _____</p> <p>20 (Date) _____</p> <p>21 My Commission Expires: _____</p> <p>22 MC</p> <p>23</p> <p>24</p>	<p>1 Nagy-Baker Court Reporting, Inc.</p> <p>2 100 East Federal Street, Suite 560</p> <p>3 Youngstown, OH 44503</p> <p>4 June 23, 2017</p> <p>5 Mr. Charles E. Drennen</p> <p>6 3035 Ridge Avenue, S.E.</p> <p>7 Warren, OH 44484</p> <p>8</p> <p>9 RE: MICHELLE L. RAFFERTY, ET AL. VS. TRUMBULL COUNTY,</p> <p>10 OHIO, ET AL.</p> <p>11</p> <p>12 THIS LETTER IS BEING SENT BY CERTIFIED AND REGULAR MAIL</p> <p>13 Dear Mr. Drennen:</p> <p>14 Your deposition was taken before me on February 24,</p> <p>15 2017, in the above matter. The deposition has now been</p> <p>16 transcribed and is available for your review.</p> <p>17 You have chosen to exercise your right to read and</p> <p>18 sign your deposition transcript. Pursuant to the Federal</p> <p>19 Rules, if your deposition is not signed within 30 days of</p> <p>20 the date upon which you received this letter, unless</p> <p>21 otherwise stipulated by counsel, it may be filed without</p> <p>22 signature.</p> <p>23 Please call us at (330) 746-7479 to arrange a date</p> <p>24 and time to come to our office for the reviewing of your</p> <p>deposition; or, alternatively, call us for instructions on</p> <p>having your transcript emailed to you for review.</p> <p>Sincerely,</p> <p>Mary J. Carney</p> <p>cc: Daniel T. Downey, Esquire</p> <p>Angelica M. Jarmusz, Esquire</p> <p>Todd M. Raskin, Esquire</p> <p>Sarah Thomas Kovoov, Esquire</p>
<p>Page 94</p> <p>1 TO THE WITNESS: DO NOT WRITE IN TRANSCRIPT EXCEPT TO</p> <p>2 SIGN. Please note any word changes/corrections on this</p> <p>3 sheet only. Thank you.</p> <p>4 TO THE REPORTER: I have read the entire transcript of</p> <p>5 my deposition taken on February 24, 2017, or the same has</p> <p>6 been read to me. I request that the following changes be</p> <p>7 entered upon the record for reasons indicated. I have</p> <p>8 signed my name to the signature page and authorized you to</p> <p>9 attach the following changes to the original transcript:</p> <p>10</p> <p>11 PAGE LINE CORRECTION OR CHANGE & REASON THEREFOR</p> <p>12 _____</p> <p>13 _____</p> <p>14 _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p>19 _____</p> <p>20 _____</p> <p>21</p> <p>22 _____</p> <p>23 Today's Date CHARLES E. DRENNEN</p> <p>24</p>	

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